

## FUNDING AVAILABILITY FOR THE ALASKA NATIVE/NATIVE HAWAIIAN INSTITUTIONS ASSISTING COMMUNITIES PROGRAM (AN/NHIAC)

### Program Overview

*Purpose of the Program.* To assist Alaska Native/Native Hawaiian institutions of higher education (AN/NHIs) expand their role and effectiveness in addressing community development needs in their localities, consistent with the purposes of Title I of the Housing and Community Development Act of 1974, as amended.

*Available Funds.* Approximately \$2 million, to be divided evenly between Alaska Native institutions of higher education (ANIs) and Native Hawaiian institutions of higher education (NHIs).

*Eligible Applicants:* Only nonprofit Alaska Native and Native Hawaiian institutions of higher education that meet the definitions of Alaska Native and Native Hawaiian institutions of higher education established in Title III, Part A, Section 317 of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1998 (Pub.L. 105-244; enacted October 7, 1998).

*Application Deadline.* May 10, 2000.  
*Match.* None.

### Additional Information

If you are interested in applying for funds under the Alaska Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC) Program, please review carefully the **General Section** of this SuperNOFA and the following additional information.

#### I. Application Due Date, Application Kits, Further Information, and Technical Assistance

*Application Due Date.* Your completed application is due on or before 12:00 midnight, Eastern time, on May 10, 2000, at HUD Headquarters.

See the **General Section** of this SuperNOFA for specific procedures covering the form of the application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

*Address for Submitting Applications.* Your completed application consists of an original signed application and two copies. Submit your completed application to the following address: Processing and Control Branch, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC, 20410. When submitting your application, please refer to AN/NHIAC and include

your name, mailing address (including zip code) and telephone number (including area code).

For ANIs, HUD will only accept one application per campus. For NHIs, HUD will only accept one application per institution. If your institution submits more than one application per campus (for ANIs) or more than one application per institution (for NHIs), HUD will ask you to identify which application you want evaluated. Only one application may be evaluated. If you do not respond within the stipulated cure period (see Section V of the **General Section** of this SuperNOFA), all of your applications will be disqualified. You should take this policy into account and take steps to ensure that multiple applications are not submitted.

*For Application Kits.* For an application kit and any supplemental material, you should call the SuperNOFA Information Center at 1-800-HUD-8929. If you have a hearing or speech impairment, please call the Center's TTY number at 1-800-HUD-2209. When requesting an application kit, you should refer to AN/NHIAC Program and provide your name and address (including zip code) and telephone number (including area code). You may also access the application on the Internet through the HUD web site at [www.hud.gov](http://www.hud.gov).

*For Further Information and Technical Assistance.* You may call Jane Karadbil of HUD's Office of University Partnerships at 202-708-1537, extension 5918. If you have a hearing or speech impairment, you may access this number via TTY by calling the Federal Information Relay Service toll-free at 1-800-877-8339. You may also write to Ms. Karadbil via email at [Jane\\_Karadbil@hud.gov](mailto:Jane_Karadbil@hud.gov).

*Satellite Broadcast.* HUD will hold an information broadcast via satellite for potential applicants to learn more about the program and preparation of the application. For more information about the date and time of the broadcast, you should consult the HUD web site at <http://www.hud.gov>.

#### II. Amount Allocated

Approximately \$2 million in FY 2000 funds is being made available under this SuperNOFA for AN/NHIAC. Of this amount, \$1 million is being made available for Alaska Native institutions (ANIs) of higher education and \$1 million is being made available for Native Hawaiian institutions of higher education (NHIs). The performance period of 24 months will commence on the effective date of the grant agreement. The maximum amount which can be requested and awarded to a particular

Alaska Native institutions of higher education is \$333,333. The maximum amount which can be requested and awarded for a particular Native Hawaiian institution of higher education is \$1 million with each application composed of no more than three separate projects, each in a different neighborhood. Each separate project can be for no more than \$333,333.

Since the Statement of Work and other facets of the technical review are assessed in the context of the proposed budget and grant request, and in the interest of fairness to all applicants, if you are an ANI and submit an application requesting more than \$333,333 in HUD funds, it will be ruled ineligible. If you are an NHI and you submit an application for more than \$1 million, it will be ruled ineligible. If you are an NHI and you submit an application in which you request more than \$333,333 for any one project, that particular project will be ruled ineligible. HUD reserves the right to make awards for less than the maximum amount or less than the amount requested in your application.

#### III. Program Description; Eligible Applicants; Eligible Activities

(A) *Program Description.* The purpose of AN/NHIAC is to assist AN/NHIs expand their role and effectiveness in addressing community development needs in their localities, including neighborhood revitalization, housing, and economic development.

(1) For the purposes of this program, the term "locality" includes any city, county, township, parish, village, or other general political subdivision of a State within which your AN/NHI is located.

(2) A "target area" is the locality or the area within the locality in which your institution will implement its proposed HUD grant.

(B) *Eligible Applicants.* Only if your institution is a nonprofit institution of higher education and meets the statutory definition of either an Alaska Native institution of higher education or a Native Hawaiian institution of higher education, as contained in Title III, Part A, Section 317 of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1998 (Pub. L. 105-244) are you eligible to apply. If you are an Alaska Native institution of higher education, in order for you to meet this definition, at least 20 percent of your undergraduate headcount enrollment must be Alaska Native students. If you are a Native Hawaiian institution of higher education, in order to meet this definition at least 10

percent of your undergraduate headcount enrollment must be Native Hawaiian students. You are not required to be on a list of eligible AN/NHIs prepared by the U.S. Department of Education. However, if you are not, you will be required to certify in the application that you meet the statutory definition.

If you are an ANI and your institution has multiple campuses, each one is eligible to apply separately, as long as it meets the above enrollment test. You may undertake as many projects and activities as you want, as long as you do not exceed the \$333,333 cap for an application. If you are an NHI, you are permitted to submit only one application, no matter how many separate campuses you have, as long as your institution meets the above enrollment test. You may undertake up to three separate projects, each in a different neighborhood, with each project requesting no more than \$333,333. In your application you must describe how each project is separate and distinct; how your proposed activities relate to that project; and that each project will not rely on any part of another project for its successful completion. A project can include one or more of the eligible activities listed below. For example, if you propose a homeownership project, you might rehabilitate housing in a neighborhood, demolish some structures to create spaces for lawns, and provide a loan pool for purchasers of this housing. All these activities could still be viewed as one project. You might also undertake a job training program for welfare-to-work families by rehabilitating a warehouse and offering the job training there. These activities could also be viewed as one project. But if you proposed to create a homeownership program and a job training program, these activities would be viewed as two separate projects. Your institution could undertake both, but they would have to be in two different neighborhoods.

(C) *Eligible Activities.* (1) *General.* Each activity you propose for funding must meet both a Community Development Block Grant Program (CDBG) national objective and the CDBG eligibility requirements. A discussion of the national objectives can be found at 24 CFR part 570.208. There are three national objectives:

- (a) Benefit to low- and moderate-income persons;
- (b) Aid in the prevention or elimination of slums or blight; or
- (c) Meet other community development needs having a particular urgency because existing conditions pose a

serious and immediate threat to the health and welfare of the community, and other financial resources are not available to meet such needs.

(You must ensure that of your aggregate grant expenditures under paragraphs (a), (b), and (c) above at least 51% are for activities benefiting low- and moderate-income persons.)

You can find the regulations governing activities eligible under the CDBG program at 24 CFR part 570, subpart C, particularly §§ 570.201 through 570.206. Ineligible activities are listed at § 570.207. The CDBG publication entitled "Everything You Wanted to Know About CDBG" discusses the regulations. You can obtain a copy from the SuperNOFA Information Center. If you propose an activity which otherwise is eligible, it may not be funded if State or local law requires that it be carried out by a governmental entity.

In addition, you may not propose the construction or rehabilitation of your institution's facilities unless you can demonstrate that such activities would meet the purpose of this program to expand the role and effectiveness of an AN/NHI in its locality. HUD will scrutinize proposed activities for eligibility. As examples of eligible and ineligible on-campus activities, rehabilitating a library for use by your students would not be an eligible activity, but rehabilitating it to convert it to a micro-business enterprise center for the community would be; or as another example, just undertaking your normal activities (e.g., offering English as a Second Language classes) would not be considered eligible activities because they would not expand your role and effectiveness in community development activities. You should call Jane Karadibil at the above number if you have any questions about the eligibility of any activities you may propose. You may also look at the Office of University Partnerships website at [www.oup.org](http://www.oup.org) for summaries of last year's winners under the Hispanic-serving Institutions Assisting Communities program, a program very similar to this one.

(2) *Examples of Eligible Activities.* Examples of activities that generally can be carried out with these funds, under one of the three national objectives, include, but are not limited to:

- (a) Acquisition of real property;
- (b) Clearance and demolition;
- (c) Rehabilitation of residential structures to increase housing opportunities for low- and moderate-income persons and rehabilitation of commercial or industrial buildings to

correct code violations or for certain other purposes, e.g., making accessibility and visitability modifications to housing;

(d) Direct homeownership assistance to low- and moderate-income persons, as provided in section 105(a)(25) of the Housing and Community Development Act of 1974;

(e) Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, such as water and sewer facilities and streets;

(f) Relocation payments and other assistance for temporarily and permanently relocated individuals, families, businesses, and non-profit organizations where the assistance is (1) required under the provision of 24 CFR 570.606(b) or (c); or (2) determined by your institution to be appropriate under the provisions of 24 CFR 570.606(d).

(g) Lead-based paint hazard reduction, pursuant to the CDBG regulations;

(h) Special economic development activities described at 24 CFR 570.203, including activities designed to promote training and employment opportunities;

(i) Assistance to facilitate economic development by providing technical assistance or financial assistance for the establishment, stabilization, and expansion of microenterprises, including minority enterprises.

(j) Assistance to community-based development organizations (CBDO) to carry out a CDBG neighborhood revitalization, community economic development, or energy conservation project, in accordance with 24 CFR 570.204. This could include activities in support of a HUD approved local CDBG Neighborhood Revitalization Strategy (NRS) or HUD approved State CDBG Community Revitalization Strategy (CRS);

(k) Establishment of a Community Development Corporation (CDC) at the institution to undertake eligible activities. If you are proposing a Community Development Corporation (CDC) component, it may qualify for CBDO activities;

(l) Up to 15 percent of the grant for eligible public services activities including:

(i) Work study programs that meet the program requirements of the Hispanic-serving Institutions Work Study program, which can be found at 24 CFR 570.416;

(ii) Outreach and other program activities as described in the Community Outreach Partnership Centers Program section of the SuperNOFA;

(iii) Educational activities including English as a Second Language (ESL)

classes, adult basic education classes, GED preparation and testing, and curriculum development of courses that will lead to a certificate or degree in community planning and development;

(iv) Job and career counseling assessment, training, and other activities designed to promote employment opportunities, not related to special economic development activities;

(v) Capacity building for community organizations;

(vi) Social and medical services for youths, adults, senior citizens, and the homeless;

(vii) Fair housing services designed to further the fair housing objectives of the Fair Housing Act (42 U.S.C. 3601–20) by making all persons, without regard to race, color, religion, sex, national origin, familial status and/or disability aware of the range of housing opportunities available to them;

(viii) Day care services and costs for the children of students attending your institution;

(ix) Continuum of care services for the homeless;

(x) Public access telecommunications centers including Twenty/20 Education Communities (formerly known as Campus of Learners) and Neighborhood Networks;

(xi) Activities to use HUD's Partnership for Advancing Technology in Housing (PATH) technology;

(xii) Services to assist low-income students to attend college, as part of the U.S. Department of Education's Gaining Awareness and Readiness for Undergraduate Program (GEAR UP). (For more information, call 1–800–USA–LEARN or visit the U.S. Department of Education's website at [www.ed.gov](http://www.ed.gov)).

(m) Up to 20% of your grant for program administration costs related to the planning and execution of community development activities assisted in whole or in part with grant funds. Pre-award planning costs may not be paid out of grant funds.

(D) *Other Requirements.* (1) *Leveraging.* Although a match is not required to qualify for funding, if you claim leveraging from any source, including your own institution, you must provide letters or other documentation evidencing the extent and firmness of commitments of leveraging from other Federal (e.g., Americorps Programs), State, local, and/or private sources (including the applicant's own resources). **These letters or documents must be dated no earlier than the date of this published SuperNOFA.** Potential sources of leveraging assistance include: your own institution (for both direct and indirect

costs); State and local governments; housing authorities; local or national nonprofit organizations; banks and private businesses; foundations; and faith-based communities.

(2) *Employment of local area residents (Section 3).* Please see Section II(E) of the General Section of this SuperNOFA. The requirements are applicable to certain activities that may be funded under this program section of the SuperNOFA.

(3) *Labor Standards.* If you are awarded a grant, you must comply with the labor standards as found at 24 CFR 570.603.

(4) *OMB Circulars.* Your grant will be governed by the provisions of 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals and other Nonprofit Organizations), A–21 (Cost Principles for Education Institutions, and A–133 (Audits of States, Local Governments, and Non-Profit Organizations). The application kit contains a detailed explanation of what these costs are. You can access the OMB circulars at the White House website at <http://whitehouse.gov/WH/EOP/OMB/html/circulars>.

#### IV. Application Selection Process

HUD will conduct two types of review: a threshold review to determine applicant eligibility; and a technical review to rate the application based on the rating factors in this section.

(A) *Threshold Factors for Funding Consideration.* Under this threshold review, your application can only be considered for rating and ranking if it is in compliance with both the requirements of the **General Section** of the SuperNOFA and the following additional standards are met:

(1) You must be an eligible Alaska Native or Native Hawaiian institution of higher education;

(2) If you are an ANI, you request a Federal grant of \$333,333 or less over the two-year grant period; or

(3) If you are an NHI, you request a Federal grant of \$1 million or less over the two year grant period composed of no more than three separate projects, each in a different neighborhood, and each of no more than \$333,333.

(4) If you are an ANI, there is only one application from your institution or a campus of your institution. If you are an NHI, there is only one application from your institution, no matter how many campuses there are.

(5) At least one of the activities in your application is eligible.

(B) *Factors for Award Used to Evaluate and Rate Applications.* The factors for rating and ranking applicants,

and maximum points for each factor, are provided below. The maximum number of points for this program is 102. This includes two EZ/EC bonus points, as described in the **General Section** of the SuperNOFA.

#### Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (15 points)

This factor addresses the extent to which you have the organizational resources necessary to successfully implement the proposed activities in a timely manner. In rating this factor, HUD will consider the extent to which your application demonstrates the knowledge and experience of the overall project director and staff, including the day-to-day program manager, consultants, and contractors in planning and managing the kinds of programs for which funding is being requested. If this experience is found within the AN/NHI, you will receive higher points on this factor than if you have secured this experience from consultants, contractors, and other staff outside your institution. In addition, if you demonstrate that the previous experience is for the project team from the institution proposed for this project, you will receive higher points than if the experiences are for people not proposed to work on this project. Experience will be judged in terms of recent, relevant, and successful experience of your staff to undertake activities in:

(a) Outreach activities in specific communities to solve or ameliorate significant housing and community development issues;

(b) Undertaking specific successful community development projects with community-based organizations; and

(c) Providing proven leadership in solving community problems which have a direct bearing on the proposed activity.

#### Rating Factor 2: Need/Extent of the Problem (15 points)

This factor addresses the extent to which there is a need for funding the proposed program activities and an indication of the importance of meeting the need in the target area. In responding to this factor, you will be evaluated on the extent to which you document the level of need for the proposed activities and the importance of meeting the need.

You should use statistics and analyses contained in one or more data sources that are sound and reliable. To the extent that your targeted community's Five (5) Year Consolidated Plan and Analysis of Impediments to Fair

Housing Choice (AI) identify the level of the problem and the urgency in meeting the need, you should include references to these documents in your response to this factor.

If your proposed activities are not covered under the scope of the Consolidated Plan and AI, you should indicate such, and use other sound data sources to identify the level of need and the urgency in meeting the need. Types of other sources include Census reports, HUD Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Comprehensive Plans, community needs analyses such as provided by the United Way, your institution, etc., and other sound and reliable sources appropriate for AN/NHIAC. You may also address needs in terms of fulfilling court orders or consent decrees, settlements, conciliation agreements, and voluntary compliance agreements.

To the extent possible, the data you use should be specific to the area where the proposed activities will be carried out. You should document needs as they apply to the area where the activities will be targeted, rather than the entire locality or State, unless the target area is the entire locality or State.

### **Rating Factor 3: Soundness of Approach (50 points)**

This factor addresses the quality and cost-effectiveness of your proposed work plan, the commitment of your institution to sustain the proposed activities, and your actions regarding affirmatively furthering fair housing.

(1) **Quality of the Work Plan (35 Points).** (a) **Work Plan Impact (12 Points).** Specifically, HUD will consider the extent to which your proposed activities will:

- (i) Expand the role of your institution in its community;
- (ii) Alleviate and/or fulfill the needs identified in Factor 2;
- (iii) Relate to and not duplicate other activities in the target area.
- (iv) Involve and empower the citizens of the target area in all stages of the proposed project; and
- (v) Be disseminated to a wide variety of audiences, both academic and community-based, using a wide variety of media, including print and Internet technology.

(b) **Specific Services and/or Activities (13 Points).** HUD will consider the feasibility of success of your program, the measurable objectives, and how timely your products will be delivered. Specifically, HUD will examine the extent to which:

(i) The project you propose can be completed within the two year grant period; and

(ii) The objectives are measurable (e.g., the number of loans made, the number of jobs created), result in measurable improvement to the community (e.g., fifteen more homeowners, twenty more jobs in a specific field), and how well you demonstrate that these objectives will be achieved by your proposed management plan and team and will result directly from your activities.

(c) **Involvement of the Faculty and Students (5 points).** The extent to which your application proposes to use the funds that could be spent under the public service cap (i.e., 15 percent of the grant) for outreach and applied research activities related to the proposed activities that involve the students and faculty. HUD's goal is to encourage the kinds of activities that are eligible under the COPC program to be undertaken, within the public services cap constraint, in AN/NHIAC.

(d) **HUD Priorities (5 points).** The extent to which your application will further and support at least one of the following priorities of HUD:

- (1) Promoting healthy homes;
- (2) Providing opportunities for self-sufficiency, particularly for persons enrolled in welfare-to-work programs;
- (3) Enhancing ongoing efforts to eliminate drugs and crime from neighborhoods through program policy efforts such as "One Strike and You Are Out" or the "Officer Next Door" initiative;
- (4) Providing educational, job training, and homeownership opportunities through such initiatives as GEAR UP, Neighborhood Networks, Twenty/20 Education Communities, and linking programs to Americorps; or
- (5) HUD's Partnership for Advancing Technology in Housing (PATH) initiative.

The *Healthy Homes* initiative implements a series of initiatives to protect children from home hazards such as lead-based paint, radon, fires, and accidents around the home.

The *GEAR UP* initiative promotes partnerships between colleges and middle or junior high schools in low-income communities, to help teach students how they can go to college by informing them about college options, academic requirements, costs, and financial aid, and by providing support services, including tutoring, counseling, and mentoring.

The *Neighborhood Networks* initiative enhances the self-sufficiency, employability, and economic self-reliance of low-income families and the

elderly living in HUD-insured and HUD-assisted properties by providing them with on-site access to computer and training resources.

The *Twenty/20 Education Communities* initiative (formerly known as Campus of Learners) is designed to transform public housing into safe and livable communities where families undertake training in new telecommunications and computer technology and partake in educational opportunities and job training initiatives.

The *Partnership for Advancing Technology in Housing (PATH)* initiative is a voluntary public/private partnership that seeks to speed the creation and widespread use of advanced technologies in order to radically improve the quality, durability, energy efficiency, and environmental performance and affordability of housing. For more information, you can go to the PATH web site at [www.pathnet.org](http://www.pathnet.org).

(6) **Institutionalization of Project Activities (10 points).** The extent to which your project will result in the kinds of proposed activities being sustained by becoming part of the mission of your institution. In reviewing this subfactor, HUD will consider the extent to which program activities relate to your institution's mission; are part of a climate that rewards faculty work on these kinds of activities through promotion and tenure; benefits students because they are part of a service learning program at your institution; and are reflected in the curriculum. HUD will look at your monetary and non-monetary commitments to faculty and staff continuing work in the target area or other similar areas and to your longer term commitment (five years after the start of the grant) of hard dollars to similar work.

(3) **Affirmatively Furthering Fair Housing (5 points).** The extent to which you propose to undertake activities designed to affirmatively further fair housing, for example:

(a) Working with other entities in the community to overcome impediments to fair housing, such as discrimination in the sale or rental of housing or in advertising, provision of brokerage services or lending;

(b) Promoting fair housing choice through the expansion of homeownership opportunities and improved quality of services for minorities, families with children, and persons with disabilities; or

(c) Providing housing mobility counseling services.

**Rating Factor 4: Leveraging Resources (10 points)**

This factor addresses your ability to secure community resources, which can be combined with HUD program funds to achieve program objectives.

In evaluating this factor, HUD will consider the extent to which you have established partnerships with other entities to secure additional resources to increase the effectiveness of the proposed activities. Resources may include funding or in-kind contributions, such as services or equipment. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities. You may also establish partnerships with other program funding recipients to coordinate the use of resources in the target area.

You may count overhead and other institutional costs (e.g., salaries) that are waived as leveraging. However, higher points will be awarded if you secure leveraging resources from sources outside the institution.

You must provide letters or other documentation showing the extent and firmness of commitments of leveraged funds (including your own resources) in order for these resources to count in determining points under this factor. Any resource for which there is no commitment letter will not be counted, nor will the resource be counted without the proposed level of commitment being quantified. If your application does not include evidence of leveraging, it will receive zero (0) points for this Factor.

**Rating Factor 5: Comprehensiveness and Coordination (10 points)**

This factor addresses the extent to which you have coordinated your activities with other known organizations, participate or promote participation in a community's Consolidated Planning process, and are working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. For specific information about your locality's process, contact the local or State Community Development Agency or the local HUD field office. If you propose to work in a Community Development Block Grant (CDBG) non-entitlement jurisdiction, you will only need to address and will only be rated on subfactors (1) and (3). If that is the case, the points for this factor will be evenly divided between these two subfactors.

In evaluating this factor, HUD will consider the extent to which you demonstrate that you have:

(1) **(4 points)** Coordinated your proposed activities with those of other groups or organizations prior to submission in order to best complement, support, and coordinate all known activities and, if funded, the specific steps you will take to share information on solutions with others. Any written agreements, memoranda of understanding in place, or that will be in place after award, should be described.

(2) **(3 points)** Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities you propose.

(3) **(3 points)** Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes or other mechanisms with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other Federal, State or locally-funded activities, including those proposed or ongoing in the community.

(C) **Selections.** For ANI applications, each application will be reviewed and rated based on these selection criteria. For NHI applicants, each project in an application will be reviewed and rated separately. If you are an ANI, you must receive a score of at least 70 points on your application in order to be eligible for funding. If you are an NHI, you must receive a score of at least 70 points for a project in order for that project to be eligible for funding. HUD will fund applications (for ANIs) or projects (for NHIs) in rank order, until it has awarded all available funds. HUD will rank and select applications from Alaska Native institutions and Native Hawaiian institutions separately. If, within either of these two categories, two or more applications (for ANIs) or projects (for NHIs) have the same number of points, the application (for ANIs) or project (for NHIs) with the most points for Factor 3, Soundness of Approach, shall be selected. If there is still a tie, the application (for ANIs) or project (for NHIs) with the most points for Factor 4, Leveraging, shall be selected. If all the funds in one category are not awarded, they cannot be transferred to the other category.

HUD will not fund specific proposed activities that do not meet eligibility requirements (see 24 CFR part 570, subpart C), or do not meet a national objective in accordance with 24 CFR 570.208.

After all application selections have been made, HUD may require that you participate in negotiations to determine the specific terms of the Statement of Work and the grant budget. In cases where HUD cannot successfully complete negotiations, or you fail to provide HUD with requested information, an award will not be made. In such instances, HUD may elect to offer an award to the next highest ranking applicant, and proceed with negotiations with that applicant.

**V. Application Submission Requirements**

You should include an original and two copies of the items listed below. In order to be able to recycle paper, please do not submit applications in bound form; binder clips or loose leaf binders are acceptable. Also, please do not use colored paper. Please note the page limits for some of the items listed below and do not exceed them.

Your application must contain the items listed in this section. These items include the standard forms, certifications, and assurances listed in the **General Section** of the SuperNOFA that are applicable to this funding (collectively referred to as the "standard forms"). The standard forms can be found in Appendix B to the **General Section** of the SuperNOFA. The remaining application items that are forms (*i.e.*, excluding such items as narratives), referred to as the "non-standard forms" can be found as Appendix A to this program section of the SuperNOFA. The items are as follows:

(A) *SF-424*, Application for Federal Assistance.

(B) *HUD-424M*, Federal Assistance Funding Matrix.

(C) *Application Checklist*.

(D) *Transmittal Letter*, signed by the Chief Executive Officer of your institution or his or her designee. If a designee signs, your application must include the official designation of signatory authority. If you are an NHI, this letter should cover your entire application, no matter how many projects are proposed.

(E) *Abstract/Executive Summary* (one page limit for ANIs and two pages for NHIs) describing the goals and activities of the project. If you are an NHI, the abstract should cover your entire application, no matter how many projects are proposed.

(F) *Budget*. The budget presentation should be consistent with the Statement of Work and include:

(1) A budget by activity, using Form HUD-30005 included in the application kit and in the program area section of

the SuperNOFA. This form separates the Federal and non-Federal costs of each program activity. Particular attention should be paid to accurately estimating costs; determining the necessity for and reasonableness of costs; and correctly computing all budget items and totals. The budget form is arranged by activities not projects. You should complete one budget form for each project that you will undertake.

(2) A narrative statement of how you arrived at your costs, for any line item over \$5,000. Indirect costs must be substantiated and the rate must have been approved by the cognizant Federal agency. If you are proposing to undertake rehabilitation of residential, commercial, or industrial structures or acquisition, construction, or installation of public facilities and improvements, you must submit reasonable costs supplied by a *qualified* entity other than your institution. Guidance for securing these estimates can be obtained from the CPD Director in your HUD field office or from your local government.

(3) A statement of compliance with the 20 percent limitation on "Planning and Administration" costs.

(G) *Statement of Work* (25 page limit if you are an ANI, this page limit covers all proposed activities in your application, if you are an NHI, there is 25 page limit per separate project, with each project responding to all of the Statement of Work Requirements). The Statement of Work incorporates all activities to be funded in your application and details how your proposed work will be accomplished. (Please note that although submitting pages in excess of the page limit will not disqualify your application, HUD will not consider the information on any excess pages, which may result in a lower score or failure to meet a threshold.) For each proposed activity, your Statement of Work must:

(1) Arrange the presentation of major related activities (e.g., rehabilitation of a child care center, provision of tutoring services), summarize each activity, identify the primary persons (as described in addressing Rating Factor 1) involved in carrying out the activity and accountable for the deliverables, and delineate the major tasks involved in carrying it out. You should also describe how each activity meets a CDBG national objective.

(2) Indicate the sequence in which tasks are to be performed, noting areas of work that must be performed simultaneously. The sequence, duration, and the products to be delivered should be presented in six month intervals, up to 24 months.

(3) Identify the specific numbers of quantifiable intermediate and end products and objectives (e.g., the number of houses of be rehabilitated, the number of people to be trained, the number of minority businesses started, etc.) you aim to deliver by the end of the grant period as a result of the work performed.

(H) *Narrative Statement Addressing the Factors for Award* (25 page limit including tables, and maps, but not including any letters of commitment—if you are an ANI, this page limit covers all proposed activities in your application; if you are an NHI, there is a 25 page limit per separate project, with each project responding to all of the Narrative Statement Addressing the Factors for Award Requirements). You should number the narrative in accordance with each factor and subfactor. Please do not repeat material in the Statement of Work. (Please note that although submitting pages in excess of the page limit will not disqualify your application, HUD will not consider the information on any excess pages, which may result in a lower score or failure to meet a threshold.)

In addressing Factor 4, for each leveraging source, cash or in kind, you must submit a letter, dated no earlier than the date of this SuperNOFA, from the provider on the provider's letterhead that addresses the following:

- The dollar amount or dollar value of the in-kind goods and/or services committed. For each leveraging source, the dollar amount in the commitment letter must be consistent with the dollar amount you indicated in the Budget;
- How the leveraging amount is to be used;
- The date the leveraging amount will be made available and a statement that it will be for the duration of the grant period;
- Any terms and conditions affecting the commitment, other than receipt of a HUD AN/NHIAC Grant; and
- The signature of the appropriate executive officer authorized to commit the funds and/or goods and/or services. (See the application kit and the program area section of the SuperNOFA for a sample commitment letter.) If you are an NHI, you should separate your leveraging sources by project and include the appropriate letters in the Narrative Statement for that project.

(I) *Certifications*. (1) SF-424B, Assurances for Non-Construction Programs.

(2) HUD-50071, Certification of Payments to Influence Certain Federal Transactions;

(3) SF-LLL, Disclosure of Lobbying Activities (if applicable);

(4) HUD-2880, Applicant/Recipient Disclosure/Update Form;

(5) HUD-50070, Certification of Drug-Free Workplace;

(6) HUD-2992, Certification

Regarding Debarment and Suspension;

(7) HUD-2991, Certification of Consistency with the Consolidated Plan; and

(8) HUD-2990, Certification of Consistency with the EZ/EC Strategic Plan (if applicable);

(J) *Acknowledgement of Receipt of Applications* (HUD-2993). If you wish to confirm that HUD received your application, please complete this form. This form is optional.

(K) *Client Comments and Suggestion Form* (HUD-2994). If you wish to offer comments on the AN/NHIAC NOFA of this SuperNOFA or the SuperNOFA process, please complete this form. This form is optional.

You may not submit appendices or general support letters or resumes. If you submit letters of leveraging commitment, they must be included in your response to Factor 4. If you submit other documentation, it must be included with the pertinent factor responses (taking note of the page limit).

## VI. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

## VII. Environmental Requirements

Selection for award does not constitute approval of any proposed sites. Following selection for award, HUD will perform an environmental review of activities proposed for assistance under this program, in accordance with 24 CFR part 50. The results of the environmental review may require that your proposed activities be modified or that your proposed sites be rejected. You are particularly cautioned not to undertake or commit funds for acquisition or development of proposed properties prior to HUD approval of specific properties or areas. Your application constitutes an assurance that your institution assist HUD to comply with part 50; will supply HUD with all available and relevant information to perform an environmental review for each proposed property; will carry out mitigating measures required by HUD or select alternate property; and will not acquire, rehabilitate, convert, lease, repair, or construct property and not commit HUD or expend local funds for these program activities with respect to any eligible property until HUD approval of the property is required. In supplying HUD

with environmental information, you should use the same guidance as provided in the HUD Handbook entitled "Field Environmental Review Processing for HUD Colonias Initiative Grants" issued January 27, 1998.

#### **VIII. Authority**

This program was approved by Congress under the section 107 of the CDBG appropriation for fiscal year 2000, as part of the FY 2000 HUD

Appropriations Act. AN/NHIAC is being implemented through this program section of the SuperNOFA and the policies governing its operation are contained herein.

**BILLING CODE 4210-32-P**

## APPENDIX A

The non-standard forms, which follow, are required for your AN/NHIAC application.

**Section B: AN/NHIAC Application Checklist**

The following checklist is provided to ensure that you have submitted all the required items for you to receive funding consideration under this competition.

Each of the items must be included in your application, in the order listed. On the line to the left of each item, you must list the page number(s) where the item can be found in your application. Each page of your application must list the name of your institution and the Federal Register number for the NOFA. For application items which are not forms, you should clearly indicate to which items you are responding.

- \_\_\_\_\_ 1. SF-424, Application for Federal Assistance
- \_\_\_\_\_ 2. HUD-424M, Funding Matrix (if applicable)
- \_\_\_\_\_ 3. Application Checklist
- \_\_\_\_\_ 4. Transmittal letter
- \_\_\_\_\_ 5. Abstract
- \_\_\_\_\_ 6. Budget
  - \_\_\_\_\_ Form HUD-30005, the budget for each of the two years and the total grant period
  - \_\_\_\_\_ Narrative explanation of how costs were derived, including any back-up materials
  - \_\_\_\_\_ Statement of compliance with 20% limitation on "Planning and Administration" costs
- \_\_\_\_\_ 7. Statement of Work
- \_\_\_\_\_ 8. Narrative Statement Addressing the Factors for Award (including letters of commitment and the Factor 4 Response Format)



## 9. Certifications

- \_\_\_\_\_ SF-424B, Assurances
- \_\_\_\_\_ Certification of Payments To Influence Certain Federal Transactions (HUD-50071)
- \_\_\_\_\_ Disclosure of Lobbying Activities (SF-LLL) (if applicable)
- \_\_\_\_\_ Applicant/Recipient Disclosure/Update Report (HUD-2880)
- \_\_\_\_\_ Certification for a Drug-Free Workplace (HUD-50070)
- \_\_\_\_\_ Certification Regarding Debarment (HUD-2992)
- \_\_\_\_\_ Certification of Consistency with the Consolidated Plan (HUD-2991)
- \_\_\_\_\_ EZ/EC Certification (HUD-2990) (if applicable)
- \_\_\_\_\_ 10. Acknowledgment of Receipt of Application (HUD-2993) (optional)
- \_\_\_\_\_ 11. Client Comment and Suggestions Form (HUD-2994) (optional)

**Abstract**

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Project Number (Leave Blank) \_\_\_\_\_

Grantee (Name of College/University) \_\_\_\_\_

Requested Grant Amount \_\_\_\_\_

Project Address \_\_\_\_\_

City, State, and Zip Code \_\_\_\_\_

Project Contact Person \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

---

**Project Description:**

Alaska Native/Native Hawaiian  
Institutions Assisting CommunitiesU.S. Department of Housing and Urban Development  
Office of Policy Research and Development**Budget** Applicant should duplicate this page as necessary.

OMB Approval No. 2528-0206 (exp. 3/31/2000)

Activity	Year 1		Year 2		Total	
	Federal \$	Leveraged \$	Federal \$	Leveraged \$	Federal \$	Leveraged \$
Name of Activity						
Direct Labor						
Fringe Benefit						
Materials						
Travel						
Equipment						
Consultants						
Subcontracts						
Other Direct Costs						
Indirect Costs						
<b>Subtotal</b>						
Name of Activity						
Direct Labor						
Fringe Benefit						
Materials						
Travel						
Equipment						
Consultants						
Subcontracts						
Other Direct Costs						
Indirect Costs						
<b>Subtotal</b>						
Name of Activity						
Direct Labor						
Fringe Benefit						
Materials						
Travel						
Equipment						
Consultants						
Subcontracts						
Other Direct Costs						
Indirect Costs						
<b>Subtotal</b>						
<b>Grand Totals (this page)</b>						

The information collection requirements contained in this notice of funding availability and application kit will be used to rate applications, determine eligibility, and establish grant amounts for the Alaska Native/Native Hawaiian Institutions Assisting Communities (AN/NHIAC) program. Total public reporting burden for collection of this information is estimated to average 80 hours. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The information submitted in response to the notice of funding availability for the AN/NHIAC program is subject to the disclosure requirements of the Department of Housing and Urban Development Reform Act of 1989 (Pub.L. 101-235, approved December 15, 1989, 42 U.S.C. 3545). The agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

form HUD-30005 (11/1999)

Alaska Native/Native Hawaiian  
Institutions Assisting Communities

U.S. Department of Housing and Urban Development  
Office of Policy Research and Development

**Budget** Applicant should duplicate this page as necessary.

OMB Approval No. 2528-0206 (exp. 3/31/2000)

Activity	Year 1		Year 2		Total	
	Federal \$	Leveraged \$	Federal \$	Leveraged \$	Federal \$	Leveraged \$
Name of Activity						
Direct Labor						
Fringe Benefit						
Materials						
Travel						
Equipment						
Consultants						
Subcontracts						
Other Direct Costs						
Indirect Costs						
<b>Subtotal</b>						
Name of Activity						
Direct Labor						
Fringe Benefit						
Materials						
Travel						
Equipment						
Consultants						
Subcontracts						
Other Direct Costs						
Indirect Costs						
<b>Subtotal</b>						
Name of Activity						
<b>Planning and Management</b>						
Direct Labor						
Fringe Benefit						
Materials						
Travel						
Equipment						
Consultants						
Subcontracts						
Other Direct Costs						
Indirect Costs						
<b>Subtotal</b>						
<b>Grand Totals (all pages)</b>						

## Sample Letter of Commitment

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### *Use the Commitment Provider's Letterhead*

(Insert Date)

Processing and Control Branch  
Office of Community Planning and Development  
Department of Housing and Urban Development  
451 7<sup>th</sup> Street, SW, Room 7251  
Washington, DC 20410-3500  
ATTN: (fill in appropriate program name)

Re: HUD Notice of Funding Availability, FR- , for (fill in appropriate program name)

To Whom It May Concern:

If this proposal is funded, (provider name) commits \$(amount) (or) (type of in-kind contribution) valued at \$(amount) to (applicant name) for (type of activity) to be made available for recipients of the program. These funds will be made available on (date) for the following grant activity(ies): \_\_\_\_\_

Sincerely,

(Signature of Authorized  
Representative)

(Title)



**DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT**

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**FAIR HOUSING INITIATIVES  
PROGRAM (FHIP)**





## FUNDING AVAILABILITY FOR THE FAIR HOUSING INITIATIVES PROGRAM (FHIP)

### Program Overview

**Purpose of the Program.** To increase compliance with the Fair Housing Act (the FHAct) and with substantially equivalent State and local fair housing laws.

**Available Funds.** Approximately **\$18,000,000** is allocated as follows:

- A. Private Enforcement Initiative (PEI) **\$9,700,000.**
- B. Education and Outreach Initiative (EOI) **\$6,500,000.**
- C. Fair Housing Organizations Initiative (FHOI) **\$1,800,000.**

**Eligible Applicants.** Eligible applicants are described in detail under each of the funded Initiatives/Components set forth below. Depending upon the Initiative/Component, applicants may include:

Qualified Fair Housing Organizations (QFHOs); Fair Housing Organizations (FHOs); public or private non-profit organizations or institutions and other public or private entities that are working to prevent or eliminate discriminatory housing practices; State and local governments; and Fair Housing Assistance Program (FHAP) agencies (as defined in Section IV(A)(16) of this program section).

**Application Deadline.** **May 16, 2000.**

**Match:** None.

### Additional Information

If you are interested in applying for funding under this program, please review carefully the **General Section** of this SuperNOFA and the following additional information.

### I. Application Due Date, Application Kits, Further Information, and Technical Assistance

**Application Due Date.** You must submit completed applications for all Initiatives/Components on or before 12:00 midnight, Eastern time, on May 16, 2000, at HUD Headquarters, at the address shown below.

See the **General Section** of this SuperNOFA for specific procedures governing the method of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

**Address for Submitting Applications.** Your original application consists of an original signed application and five copies. Submit your completed application (one original and five copies) to: FHIP SuperNOFA 2000 [Specify the Initiative/Component to which you apply], FHIP/FHAP Support Division, Fair Housing and Equal

Opportunity, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 5224, Washington, DC 20410.

When you submit your application, please provide the following information on the front of the mailing envelope: your organization's name, name of contact person, mailing address (including zip code), telephone number (including area code), and fax number.

**For Application Kits.** For an application kit and supplemental information, please call the HUD SuperNOFA Information Clearinghouse at 1-800-HUD-8929. If you have a hearing or speech impairment, you may call the Center's TTY at 1-800-HUD-2209. When requesting an application kit, please refer to FHIP SuperNOFA 2000, and provide your name, address (including zip code), and telephone number (including area code). Application kits also will be available on the Internet at: <http://www.hud.gov>.

**For Further Information and Technical Assistance.** You may contact Lauretta A. Dixon, Director, FHIP-FHAP Support Division, Office of Programs at 202-708-0800 (which is not a toll-free number). Persons with hearing or speech impairments may contact the FHIP-FHAP Division by calling 1-800-290-1617 (this is a toll free number).

**Satellite Broadcast.** HUD will hold an information broadcast via satellite for potential applicants to learn more about the program and preparation of an application. For more information about the date and time of this broadcast, you should consult the HUD web site at the web address listed above.

### II. Amount Allocated

In Fiscal Year 2000, \$24,000,000 was appropriated for the Fair Housing Initiatives Program. Approximately \$18,000,000 is being made available on a competitive basis to eligible organizations responding to this SuperNOFA. The remaining approximately \$6,000,000 has been designated for the National Housing Discrimination Audit 2000.

The amount available for each Initiative/Component and the award cap (the maximum amount of funds that can be awarded for each grant) are allocated as follows:

(A) **Private Enforcement Initiative (PEI).** Approximately \$9,700,000 is allocated as follows:

(1) **General Component (GC).** \$7,950,000; award cap: \$300,000 for single projects, \$600,000 for partnership projects; project duration 24-36 months.

(2) **Fair Housing Partnership Component (FHPC).** \$1,750,000; award cap: \$150,000 for local/community

based projects and \$250,000 for State and Regional based projects; project duration 24 months.

(B) **Education and Outreach Initiative (EOI).** Approximately \$6,500,000 is allocated for 18-24 month projects as follows:

(1) **Regional/Local/Community-Based Program.** Approximately \$4,500,000 is allocated for 18-24 month projects.

(a) **General Component (GC).** \$2,000,000; award cap: \$300,000; project duration 24 months.

(b) **Disability Component (DC).** \$750,000; award cap: \$150,000; project duration 18 months.

(c) **Fair Housing Partnership Component (FHPC).** \$1,750,000; award cap: \$150,000 for Local/Community based projects; \$250,000 for State/Regional based projects; project duration 24 months.

(2) **National Program.** Approximately \$2,000,000 is allocated for 24 month projects.

(a) **Model Codes Partnership Component (MCPC).** A single award of \$1,000,000.

(b) **Community Tensions Component (CT).** A single award of \$1,000,000.

(C) **Fair Housing Organizations Initiative (FHOI).** Approximately, \$1,800,000 is allocated for the following Components:

(1) **Establishing New Organizations Component (ENOC).** \$1,200,000; award cap: \$400,000; project duration 24-36 months.

(2) **Continued Development Component (CDC).** \$600,000; award cap: \$200,000; project duration 24 months. Under this Component, your award may not exceed 50 percent of your organization's annual operating budget, as defined in Section IV(A)(16) in this program section of the SuperNOFA.

### III. Program Description; Eligible Applicants; Eligible Activities

(A) **Program Description.** The Fair Housing Initiatives Program (FHIP) assists projects and activities that increase compliance with the Fair Housing Act and substantially equivalent State and local fair housing laws. In June of 1997, the President launched his "One America for the 21st Century" initiative and made fighting discrimination and racial and ethnic violence an Administration priority. The President directed HUD to increase its enforcement actions. The activities funded under this SuperNOFA are expected to contribute to this increase.

Immigrant populations (especially ethnic minorities who are not English speaking) are increasingly responsible for new household formations in the United States, and they often face

formidable barriers because of discriminatory housing practices. Congress recognized that where we live, perhaps more than any other factor, shapes our life prospects and who we become as individuals. It is especially important that fair housing efforts be directed to the education and enforcement needs of these immigrant populations and the specific types of discrimination they may encounter. Points will be awarded to applications under the General Components of EOI and PEI that devote all or a portion of their activities and budget to address the fair housing needs of these immigrant populations and other underserved populations. Applicants under the Community Tensions Component of the EOI-National Program and the Fair Housing Partnership Components of EOI and PEI will not be eligible unless they devote at least sixty (60) percent of their activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations.

(B) *New Program Focus—Fair Housing Partnerships.* HUD has long recognized the importance of private fair housing groups partnering with Fair Housing Assistance Program (FHAP) agencies to vigorously enforce the Fair Housing Act and substantially equivalent state and local fair housing laws. HUD has set aside \$7 Million to promote collaborative enforcement efforts between these two groups. The funds are equally divided between FHAP and FHIP, i.e., \$3.5 million to each program. The \$3.5 million FHIP set-aside is evenly allocated (\$1,750,000) to the Fair Housing Partnership Components of the Private Enforcement and Education and Outreach Initiatives. As indicated by these program requirement highlights, HUD is determined to remove any obstacles which might discourage these joint enforcement efforts. The program highlights are:

(1) *Project Emphasis.* The project(s) must focus on the enforcement and education needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations.

(2) *Eligibility.* You are eligible only if you partner with an eligible FHAP agency. The list of eligible FHAP agencies may be obtained from your Hub Office and will be posted on the HUD web at "www.hud.gov."

(3) *FHAP Agencies.* FHAP agencies wishing to participate in this partnership must do so under the Fair Housing Assistance Program, not under

the EOI-Fair Housing Partnership Component of this SuperNOFA.

FHAP agencies, however, may apply for funding of non-partnership activities under all other EOI Components. Your application is ineligible unless you devote at least sixty (60) percent of your activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations, as defined in Section IV(A)(16) in this program section of the SuperNOFA.

(4) *How To Apply.* You must respond to Rating Factor 3: Soundness of Approach, outlining your activities and the funds you are requesting for your partnership participation; and provide, as an attachment to Rating Factor 3, the total budget and a description of the overall partnership, including the duties and responsibilities of each partner.

(5) *Interdependent Applications.* This is a collaborative effort between FHIPs and FHAPs. Your eligible FHAP partner will not be funded unless your application is selected. Furthermore, if two members of the partnership submit applications under the Fair Housing Partnership Components of EOI and PEI both applications must be rated of sufficient quality for funding and their overall ranking will be based on the average of their combined scores (see discussion in Section V), i.e., the applications are interdependent.

(6) *Project Duration and Award Caps.* These are 24 months projects. The award caps for each partner are from \$150,000 to \$250,000 depending on whether the project focus is local/community-based, or state/regional. Thus, a regional project which, in addition to the FHAP, has two partnering FHIP organizations, one which has applied under EOI-FHPC and the other under PEI-FHPC, could qualify for a maximum of \$750,000 for the project, i.e., \$250,000 to each partner.

(7) *Exemptions.* HUD has added these Components to those exempted from the single award and funding/geographic diversity provisions.

(8) *Single Award Limitation.* Generally, applicants are limited to a single award; by adding the Fair Housing Partnership Components to the excepted category, you may receive up to three awards (see discussion in Section IV (A)(3) of this program section of the SuperNOFA).

(9) *Funding and/or Geographic Diversity Provisions.* Under these provisions the Selecting Official, within limited circumstances, may select applications out of rank order. These provisions will not apply to selections

under the Fair Housing Partnership Components, i.e., applications will be selected in rank order only.

(C) *Private Enforcement Initiative (PEI).*

(1) *Initiative Description.* This Initiative assists private fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act and substantially equivalent State and local fair housing laws. Your activities under this Initiative are expected to contribute to increasing the number of HUD's enforcement actions.

(a) *Eligible Applicants.* Eligible applicants are FHOs with at least one year of experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims (see, 24 CFR 125.401, (b)); and QFHOs (see, 24 CFR 125.103).

(b) *Eligible Activities* include:

(i) Complaint intake of allegations of housing discrimination, testing, evaluating testing results, or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(ii) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(iii) Mediation or other voluntary resolution of allegations of fair housing discrimination after a complaint has been filed; and

(iv) Costs and expenses of litigating fair housing cases, including expert witness fees.

(2) *PEI-General Component (PEI-GC). Component Description.* This Component supports investigation and enforcement activities which determine compliance with accessibility requirements; discover and remedy discrimination in the public and private real estate markets; propose and undertake activities to detect and remedy more subtle and sophisticated forms of discriminatory practices; and reduce steering and other practices perpetuating segregation.

(a) *Eligible Applicants.* Eligible applicants are QFHOs and FHOs as described in Section III(C)(1)(a) above. You are not eligible if you are currently receiving PEI-General Component funding awarded to you under a previous NOFA, and, your grant agreement expires after June 30, 2001. However, you may apply for funding under any other FHIP Initiative/Component.

Your application will be considered either as a single or partnership project (see, Section IV(C)(1) of this program section for more details). If you are submitting a partnership application, *all*

members of your partnership must meet the eligibility requirements of this Component, and a separate Statement of Eligibility for each must be included in your application as an attachment to Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience. A letter of firm commitment must be included stating that the partner(s) agrees to the proposed Statement of Work and will participate in the project, if selected for award. If you fail to include this letter of firm commitment with your application, but you have stipulated the activities and tasks to be undertaken by each partner in your Statement of Work, the failure to provide the letter will be treated as a technical deficiency corrected as noted in Section V of the **General Section** of this SuperNOFA.

(b) *Eligible Activities.* Eligible activities are described in Section III(C)(1)(b) above. Points will be awarded in Factor 3: Soundness of Approach, based upon the percentage of your activities and your budget devoted to the fair housing enforcement needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations (as defined in Section IV(A)(16) of this program section of the SuperNOFA).

(3) *Fair Housing Partnership Component (PEI-FHPC).* Component Description. This Component promotes collaborative fair housing enforcement projects that propose strategic planning between public fair housing enforcement agencies eligible under the Fair Housing Assistance Program (FHAP) and organizations eligible under this Initiative. The strategic plan will draw upon the resources, strengths, and expertise of the FHIP and FHAP partners to promote more effective fair housing enforcement. Funded activities will address all protected classes and include all covered real estate practices.

(a) *Eligible Applicants.* Eligible applicants are QFHOs and FHOs as described in Section III(C)(1)(a) above that propose collaborative strategic fair housing enforcement plans with an eligible FHAP agency(ies). You should contact your local Hub Office to identify eligible FHAP agencies with which you may partner. A list of Hub Offices is provided in the FHIP Appendix B at the end of the Program Section of this SuperNOFA, and the list of eligible FHAP agencies will be posted on the HUD web at "www.hud.gov." A letter of firm commitment must be included stating that the partner(s) agrees to the proposed Statement of Work and will participate in the project, if selected for award. If you fail to include this letter of firm commitment with your

application but your Statement of Work identifies the activities and tasks to be conducted by each partner, then your failure to provide the letter will be considered a technical deficiency and may be corrected as noted in Section V of the **General Section** of this SuperNOFA.

(b) *Eligible Activities.* Eligible activities are the same as described in Section III(C)(1)(b) above. Your application is ineligible unless you devote at least sixty (60) percent of your activities and budget to the fair housing of needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations (as defined in Section IV(A)(16) in this program section). Points will be awarded in Rating Factor 3: Soundness of Approach based upon the percentage of your activities and your budget devoted to these immigrant and other underserved populations.

(c) *Funding Outreach Activities.* If you are partnering with an organization which requests funding for EOI activities under the EOI-FHPC, your budget, and the budget of any other partner(s) carrying out activities under this Component, may designate no requested funds for education and outreach to promote awareness of the partnership. The partner requesting funds under the EOI-FHPC will conduct all education and outreach activities on behalf of the partnership. However, if you are not partnering with an organization which requests funding for EOI activities under the EOI-FHPC, your budget may designate up to 20 percent of requested funds for education and outreach to promote awareness of the partnership.

(D) *Education and Outreach Initiative (EOI).* (1) *Initiative Description.* This Initiative assists projects that inform and educate the public about their rights and obligations under the Fair Housing Act and substantially equivalent State and local fair housing laws. One of the tasks you are required to complete is the development of a complaint referral process so that activities funded under all Components of this Initiative will result in an increased number of referrals to HUD of credible, legitimate fair housing claims and other information regarding discriminatory practices.

(a) *Eligible Applicants.* Eligible applicants are QFHOs; FHOs; public and private non-profit organizations or institutions and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; State or local governments; and FHAP agencies. If you are a traditional civil

rights organization, you are encouraged to apply under this Initiative. The reference to "entities that are formulating programs to prevent or eliminate discriminatory housing practices" means entities which will be established to carry out programs to prevent or eliminate discriminatory housing practices as a result of receiving a FHIP award.

(b) *Eligible Activities.* Unless otherwise noted, the following activities are eligible for all Components under this Initiative: conducting educational symposia; distributing existing fair housing materials throughout your project area; providing outreach and information on fair housing through printed and electronic media; and providing outreach to persons with disabilities and/or their support organizations and service housing providers, and the general public regarding the rights of persons with disabilities under the Fair Housing Act. If you are submitting an application under the Regional/Local/Community-Based Program, you must use existing, locally available materials, i.e., you may not develop new fair housing materials except as a supplement to existing materials and/or in languages other than English or Braille.

(2) *Regional/Local/Community-Based Program. General Component (EOI-GC).* Component Description. This Component supports education and outreach activities designed to inform the public about their rights and obligations under the Fair Housing Act and substantially equivalent State and local fair housing laws.

(a) *Eligible Applicants.* Eligible applicants are the same as described in Section III(D)(1)(a), above.

(b) *Eligible Activities.* Eligible activities are the same as described in Section III(D)(1)(b), above. Also eligible under this Component are activities that seek to reduce racial and other housing segregation or are intended to improve racial/ethnic minorities' access to and retention of homeownership by addressing multiple barriers to fair housing choice, e.g., mortgage lending discrimination and/or abusive and predatory mortgage lending practices, which may result in the ultimate loss of homes for racial/ethnic minorities. Points will be awarded in Rating Factor 3: Soundness of Approach based upon the percentage of your activities and your budget devoted to immigrant (especially ethnic minorities who are not English speaking) and other underserved populations.

(3) *Disability Component (EOI-DC).* Component Description. This Component supports education and

outreach activities designed to address the fair housing needs of persons with disabilities so that they, housing providers, and the public better understand the rights and obligations under the Fair Housing Act and more fully appreciate the forms of housing discrimination which persons with disabilities may encounter.

(a) *Eligible Applicants.* Eligible applicants are the same as described in Section III(D)(1)(a), above.

(b) *Eligible Activities.* Eligible activities are the same as described in Section III(D)(1)(b), above.

(4) *Fair Housing Partnership Component (EOI-FHPC). Component Description.* This Component promotes collaborative education and outreach projects of strategic planning between public fair housing enforcement agencies (eligible for funding under the Fair Housing Assistance Program (FHAP)) and organizations eligible under this Initiative. Therefore, your strategic plan should draw upon the resources, strengths, and expertise of the FHAP and FHAP partners to promote more effective fair housing education and outreach. Funded activities will address all protected classes and include all covered real estate practices.

(a) *Eligible Applicants.* Eligible applicants are those listed in Section III(D)(1)(a), above, except for FHAP agencies, which are not eligible for funding under this component. An applicant under this component must propose collaborative strategic fair housing education and outreach plans with an eligible FHAP agency(ies). The funding for FHAP agencies wishing to participate in this partnership is under the Fair Housing Assistance Program rather than FHAP.

You should contact your local Hub Office to identify eligible FHAP agencies with which you may partner. A list of Hub Offices is provided in the FHAP Appendix B at the end of this program section of this SuperNOFA and the list of eligible FHAP agencies will appear on the HUD web at "www.hud.gov." A letter of firm commitment must be included stating that each partner(s) agrees to the proposed Statement of Work and will participate in the project, if selected for award. If you fail to include this letter of firm commitment with your application but your Statement of Work identifies the activities and tasks to be conducted by each partner, then your failure to provide this letter will be considered a technical deficiency and may be corrected as noted in Section V of the **General Section** of this SuperNOFA.

(b) *Eligible Activities.* Eligible activities are the same as described in Section III(D)(1)(b), above. Your application will be ineligible unless you devote at least sixty (60) percent of your activities and budget to immigrant (especially ethnic minorities who are not English speaking) and other underserved populations (as defined in Section IV(A)(16) of this program section).

(c) *Funding Outreach Activities.* If your partnership also includes a QFHO or an FHO that is requesting funding under the PEI-FHPC, your organization is required to conduct all education and outreach activities to promote the partnership. Funds requested by your PEI-FHPC partner will be used as described in Section III(C)(3)(c), above.

(5) *National Program. Model Codes Partnership Component (EOI-MCPC). Component Description.* This Component promotes collaborative activities involving disability rights advocacy groups, housing industry organizations, and other agencies and institutions capable of facilitating and encouraging adoption of building codes at the State and local levels that are consistent with the accessibility requirements of the Fair Housing Act, its implementing regulations, and the Fair Housing Accessibility Guidelines.

(a) *Eligible Applicants.* Eligible applicants are the same as described in Section III(D)(1)(a) above, with demonstrated technical expertise in the design and construction requirements of the Fair Housing Amendments Act of 1988, the applicable implementing regulations, the Fair Housing Accessibility Guidelines, the ANSI A117.1 technical standards, and State and local building codes. You may establish your "demonstrated technical expertise" in many ways; for example, you have taken a course/attended a seminar on the accessibility provisions of the Fair Housing Act and have applied that training to your work as, for example, a building inspector, architect, housing provider, or developer in a jurisdiction with a building code that incorporates these provisions, or your work experience has made you knowledgeable about design and construction requirements of the Fair Housing Act/Accessibility Guidelines, the ANSI A117.1 technical standards, and State and local building codes. Course(s) descriptions, specific examples of work experiences and years of experience must be highlighted when establishing technical expertise. Only applications filed by a minimum of two entities, at least one of which is a disability rights advocacy group or organization, will be considered, and

the roles of each partner must be clearly delineated. Your application must identify additional sub-recipients and consultants/contractors who will work on this project. A letter of firm commitment must be included stating that the partner(s) agrees to the proposed Statement of Work and will participate in the project, if selected for award. If you fail to include this letter of firm commitment with your application but your Statement of Work identifies the activities and tasks to be conducted by each partner, then your failure to provide the letter will be considered a technical deficiency and may be corrected as noted in Section V of the **General Section** of this SuperNOFA.

(b) *Eligible Activities.* (i) Where State and local governmental entities have adopted one of the four model building codes reviewed by the HUD Model Codes Working Group (Working Group), your application should describe how you will:

- Assist those State and local governmental entities in modifying their building codes by adopting language to make the building codes consistent with the accessibility requirements of the Fair Housing Act; and
- Educate State and local building code officials on the requirements;
- (ii) Where State and local governmental entities with building codes have not adopted one of the model building codes, your application should describe how your activities will:
- Review those building codes for consistency with the accessibility requirements of the Fair Housing Act, its Amendments, the Act's implementing regulations, and the Fair Housing Accessibility Guidelines;
- Work with State and local building code organizations, members of the building industry, advocacy organizations, fair housing organizations and other experts on accessibility laws, codes and standards to make the building codes consistent with the Fair Housing Act's accessibility requirements;
- Assist in adopting the modified building codes; and
- Educate State and local building code officials on the requirements;

(iii) Where communities do not have building codes, your application must show how you will:

- Develop and implement a strategy for ensuring that the building industry is made aware of and understands the Fair Housing Act's accessibility requirements;

- Develop a list of “Best Practices” for ensuring that the building industry is made aware of and understands the Fair Housing Act’s accessibility requirements; and
- Review State and local governmental building codes that are modified to make them consistent with the Fair Housing Act’s accessibility requirements to ensure that the modifications are consistent with the Fair Housing Act, the Act’s implementing regulations and the Fair Housing Accessibility Guidelines.

(6) *Community Tensions Component (EOI-CT). Component Description.* This Component will assist a 24-month project that proposes to prevent the emergence of community tensions that may occur when persons protected under the Fair Housing Act, exercise their right to equal housing opportunity and move into communities where persons similarly protected under the Act have not previously lived or have been underrepresented; and intervene when community tensions emerge and create volatile situations which harm, or threaten to harm, those exercising their rights to equal housing opportunities.

(a) *Eligible Applicants.* Eligible applicants are the same as described in Section III(D)(1)(a), above.

(b) *Eligible Activities.* Eligible Activities are the same as described in Section III(D)(1)(b), above. You must develop more than one plan which communities can use to prevent and resolve community tensions when protected classes exercise their fair housing choices. HUD expects your plans will vary depending upon the size and the cultural, racial and ethnic diversity of communities.

(E) *Fair Housing Organizations Initiative (FHOI).* (1) *Initiative Description.* This Initiative assists in creating new fair housing enforcement organizations and in building the enforcement capacity of existing fair housing organizations.

(2) *Establishing New Organizations Component (FHOI-ENOC). Component Description.* The objective of this Component is to establish new fair housing enforcement organizations in underserved areas (as defined in Section IV(A)(16) of this program section).

(a) *Eligible Applicants.* Only QFHOs are eligible to apply under this Component.

(b) *Eligible Activities.* You must propose to establish a new fair housing organization in an underserved area. HUD has identified two groups whose fair housing needs have been underserved—persons who reside in rural areas (as defined in Section

IV(A)(16)) and immigrant groups that are non-English speaking—and has targeted for funding priority applications which address the needs of those two groups. HUD hopes to establish three new organizations and, pursuant to this priority determination, two of the three awards will go to applicants addressing the needs of these groups (i.e., one rural; and one non-English speaking immigrant group). You must provide proof that the project area is underserved. In addition, you must submit data and studies that indicate the presence of housing discrimination, segregation and/or other indices of discrimination in the project area based upon race, color, religion, sex, national origin, familial status or disability.

(3) *Continued Development Component (FHOI-CDC). Component Description.* This Component provides support to build the enforcement capacity of newly established fair housing enforcement organizations created under past FHOI-ENOC awards.

(a) *Eligible Applicants.* QFHOs and FHOs created as new organizations under the FHOI-ENOC with grant agreements that expire by June 30, 2001 or before. A list of all organizations created under ENOC is provided in the FHIP Appendix A at the end of this program section of this SuperNOFA; you must list the expiration date of your ENOC grant agreement.

(b) *Eligible Activities.* Your proposed activities must build your enforcement capacity by undertaking all or some of the following activities:

(i) Complaint intake of allegations of housing discrimination; testing, evaluating testing results or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(ii) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(iii) Mediation or other voluntary resolution of allegations of fair housing discrimination after a complaint has been filed; and

(iv) Costs and expenses of litigating fair housing cases, including expert witness fees.

#### IV. Program Requirements

(A) *Requirements For All Initiatives/Components.* In addition to the requirements listed in Section II of the **General Section** of this SuperNOFA, you must also meet the following requirements:

(1) *Performance Measures and Products.* Your application must demonstrate how your project activities

will support HUD goals, identify performance measures/outcomes in support of those goals, and identify current (baseline) conditions and target level of the performance measure that you plan to achieve. Your application also must contain a strategy for achieving project products, with related timelines and milestones. If selected for funding for one or more Components, your final performance measures and products will be negotiated between you and HUD as part of your executed grant agreement.

(2) *Reports and Meetings on Performance Measures and Products.* In your final grant report, you must describe the status of performance measures in a spreadsheet format or other manner specified by the Department. You are required to report quarterly on the status of project products against your approved milestones and timelines and meet at least semi-annually with HUD to ensure that project activities satisfy grant requirements.

(3) *Single Award Limitation/Preference Must Be Stated.* (a) Except as provided in paragraph (b) of this section, you may apply for funding under all Components for which you are an eligible applicant, but you may receive only one award. If you apply for funding under more than one Component, you must clearly state your priority for selection and indicate your preference in the Transmittal Letter and on the Cover Page of your application. If you are selected for funding in more than one Component, the selecting official may honor your preference if it is in the best interest of the program. Failure to submit your preference at the time of application, will be treated as a technical deficiency, which may be corrected as noted in Section V of the **General Section** of this SuperNOFA.

(b) The requirements of paragraph (a) of this section do not apply to the Components listed in this paragraph. You may receive up to 3 awards, i.e., in addition to the single award for which you are eligible under paragraph (a) of this section, if you are an eligible applicant for the following Components, you may also apply for, and are eligible to receive an FHOI-Establishing New Organizations Component (ENOC) award, and/or either one EOI-National Program award or one Fair Housing Partnership award.

(4) *Independence of Awards.* Although there is no limitation on the number of applications that you may submit, applications must be independent and capable of being implemented without reliance on the selection of other applications

submitted by you or other applicants. This requirement does not apply to the Fair Housing Partnership Components of EOI and PEI which are interdependent, and it does not preclude you from submitting an application that includes other organizations as sub-recipients.

(5) *Project Starting Period.* For planning purposes, assume a start date no later than September 30, 2000.

(6) *Page Limitation.* The narrative response for each of the five rating factors for award is limited to ten pages per factor (this does not include forms or documents that are required under each factor). The pages should be numbered consecutively. Narrative pages exceeding the ten page limit will not be evaluated. Furthermore, unrequested items, such as brochures and news articles, will not be considered. You should respond fully to each factor. Failure to provide narrative responses to all factors will result in your application not receiving points for the information omitted, which may significantly affect your application score.

(7) *Training.* Your proposed budget must include a training set-aside of \$3,000 for 18-month projects and \$6,000 for 24–36 month projects. HUD will permit recipients to use these funds to attend both HUD-sponsored and HUD-approved training.

(8) *Payment Contingent on Completion.* Payments, including multi-year award increments, are contingent on the satisfactory completion of your project activities and products as called for in your grant or cooperative agreement.

(9) *Accessibility Requirements.* All activities and materials funded by this Program must be accessible to persons with disabilities (24 CFR 8.4, 8.6, and 8.54).

(10) *Copyright Materials.* You may copyright any work that is eligible for copyright protection; however, HUD reserves the right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as outlined in 24 CFR 84.36.

(11) *Complaints Against Awardees.* To assure high quality performance of all grants or cooperative agreements resulting from awards made under this NOFA, HUD is implementing a process to consider complaints from the public regarding FHIP-funded activities. If after notice and consideration of relevant information, HUD concludes that there has been inappropriate conduct, such as a violation of FHIP program requirements, grant, or cooperative agreement terms or conditions or any other applicable statute, regulation or

other requirement, HUD will take appropriate action in accordance with 24 CFR 84.62. Such action may include: written reprimand; consideration of past performance in ranking future FHIP applications; reimbursement of funding it has received under the grant; or temporary or permanent denial of participation in the FHIP program in accordance with 24 CFR part 24.

(12) *Avoiding Double Payments.* If you are awarded funds under this SuperNOFA, you (and any sub-recipient) may not charge or claim credit for the activities performed under this project to any other Federal project.

(13) *Requirements for All Partnerships.* If you are submitting a partnership application, you must meet the following requirements:

(a) You must clearly designate the organization submitting the application as the single organization with responsibility for administering the grant and overseeing project activities.

(b) All members of your partnership, including sub-recipient organizations, must be identified in your application with the duties and responsibilities fully described for each.

(c) A letter of firm commitment must be submitted as discussed in paragraph 14(d), below.

(14) *Ineligible Applications.* For applications under all Initiatives/Components:

(a) *General Section Requirements and Procedures.* If you fail to meet the requirements set forth in Section II of the **General Section** of this SuperNOFA, your application will be deemed technically deficient and correctable as noted in Section V of the **General Section** of this SuperNOFA.

(b) *Award Caps.* If you request funding in excess of the maximum allowed under the Component for which you are applying, your application will be ineligible.

(c) *Research Activities.* Projects aimed solely at research which do not result in the increase of enforcement actions, including but not limited to surveys and questionnaires, are not eligible for funding.

**For Applications That Propose Partnership Activities (Fair Housing Partnership Components of EOI and PEI, Model Codes Partnership Component of EOI–National Program, Partnership Projects of the PEI General Component)**

(d) *All Partnership Components.* You must include in your partnership application a letter of firm commitment from all project partners, stating that the partner(s) agrees to the proposed Statement of Work and will participate

in the project, if selected for award. The letter of firm commitment must be signed by an official of each partnering organization who is authorized to make commitments on behalf of his/her organization. If you fail to submit this documentation with your application, but you have stipulated the activities and tasks to be undertaken by each partner in your Statement of Work, the failure to provide the letter will be treated as a technical deficiency corrected as noted in Section V of the **General Section** of this SuperNOFA.

(e) *Model Codes Partnership Component.* You are eligible only if you are or partner with a disability rights advocacy group or organization. If you fail to meet these requirements, your application will be ineligible.

For applications submitted under PEI and FHOI:

(f) *Non-Profit Status.* If you are applying under the PEI and FHOI Initiatives, you must submit documentation with your application that you are a section 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service. Failure to submit this documentation with your application will be treated as a technical deficiency, which may be corrected as noted in Section V of the **General Section** of this SuperNOFA.

For applications submitted under PEI–General Component:

(g) *Current Recipient of Funds.* You are not eligible under this component if you are currently receiving PEI–General Component funding awarded to you under a previous NOFA, and your grant agreement expires after June 30, 2001.

For applications submitted under FHOI–CDC:

(h) *Newly Established Fair Housing Enforcement Organizations.* You are not eligible under this Component if you are a QFHO or FHO created as a new organization under the FHOI–ENOC and your grant agreement expires after June 30, 2001.

For applications submitted under the community tensions component of the EOI–National Program and the Fair Housing Partnership Components of EOI and PEI:

(i) You are ineligible unless you devote at least sixty (60) percent of your activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations.

(15) *Ineligible Activities.* (a) *Fair Housing and Free Speech.* None of the amounts made available under this SuperNOFA may be used to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in

by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a government official or entity, or a court of competent jurisdiction.

(b) *Suits Against the United States*. No recipient of assistance under this program may use any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).

(c) *Litigation Funds*. No recipient of assistance under this program may use any funds provided by HUD for purposes of settling claims, satisfying judgments or fulfilling court orders in any litigation action involving either the Department or housing providers funded by the Department.

(16) *Program Definitions*. The definitions that apply to this FHIP section of the SuperNOFA are as follows:

*Broad-based projects* are not limited to a single fair housing issue, instead they cover multiple issues related to housing discrimination covered under the Fair Housing Act, such as: rental, sales and financing of housing.

*Enforcement actions* includes charges issued under the Fair Housing Act, settlements with relief equivalent to, or greater than, what HUD would seek had a charge been issued; settlements with relief for a broad class of victims; referrals to the Department of Justice (DOJ), where it has legal authority to take further action: zoning and land use cases (42 U.S.C. 3614(b)); pattern and practice cases (42 U.S.C. 3614(a)); requests for prompt judicial action; (42 U.S.C. 3610(e)); and allegations of criminal violations of the Fair Housing Act (42 U.S.C. 3631).

*Enforcement proposals* are potential complaints under the Fair Housing Act that are timely, jurisdictional, and well developed, which could reasonably be expected to become enforcement actions if an impartial investigation finds evidence supporting the allegations and the cases proceeded to a resolution with HUD involvement.

*Fair Housing Assistance Program (FHAP) Agencies* means State and local agencies that administer laws substantially equivalent to the Fair Housing Act, as described in 24 CFR part 115.

*Fair Housing Enforcement Organization (FHO)* means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

*Full service projects* must include more than one type of the following enforcement related activities in your project application: interviewing potential victims of discrimination;

analyzing housing-related issues; in-taking complaints; testing; evaluating testing results; conducting preliminary investigations; conducting mediation; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about fair housing laws.

*Meritorious Claims* means enforcement activities by an organization as defined in 24 CFR 125.103.

*Operating Budget* means your organization's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the period for which funding is requested.

*Qualified Fair Housing Enforcement Organization (QFHO)* means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

*Regional/Local/Community-Based Activities* are defined at 24 CFR 125.301.

*Rural Areas* (as defined by other HUD programs, e.g., the Rural Housing and Economic Development Program of Community Planning and Development (CPD)) may be defined in one of five ways:

(i) A place having fewer than 2,500 inhabitants (within or outside of metropolitan areas).

(ii) A county with no urban population (i.e., city) or 20,000 inhabitants or more. Territory, persons and housing units in the rural portions of "extended cities."

(iii) The U.S. census bureau identifies the rural portions of extended cities in the United States.

(iv) Open country which is not part of or associated with an urban area. The United States Department of Agriculture (USDA) determines what constitutes "open country."

(v) Any place with a population not in excess of 20,000 and is not located in a Metropolitan Statistical Area.

*Traditional Civil Rights Organizations* means non-profit organizations or institutions and/or private entities with a history and primary mission of securing Federal civil rights protection for groups and individuals protected under the Fair Housing Act and substantially equivalent State or local laws and which are engaged in programs to prevent or eliminate discriminatory housing practices.

*Underserved areas* means jurisdictions where no public or private fair housing enforcement organizations exist or which are not sufficiently served by one or more public or private enforcement fair housing organizations, and contain large concentrations of

persons protected under the Fair Housing Act.

*Underserved populations* means individuals who fall within one or more of the categories protected under the Fair Housing Act who are also: (1) Of a immigrant population (especially ethnic minorities who are not English speaking), (2) in rural populations, (3) among the homeless, and (4) among persons with disabilities that can be historically documented to have been subject to discriminatory practices not having been the focus of Federal, State or local fair housing enforcement efforts.

(B) *Requirements For Private Enforcement Initiative and Fair Housing Organizations Initiative*.

(1) *Broad-Based and Full Service Projects*. If you are applying under either of these Initiatives, your activities must be broad-based and full service enforcement projects, as defined above, that address discrimination against persons protected by the Fair Housing Act. Furthermore, your activities must contribute in measurable ways to HUD's commitment to increase its enforcement actions.

(2) *Mandatory Referrals*. You are required to refer to HUD all cases arising from FHIP-funded enforcement activities. In all FHIP-funded cases where you find a basis for filing a complaint on behalf of a bona fide complainant other than your organization, you must file the complaint with HUD unless the complainant refuses, in writing, to do so. In addition to filing with HUD, a bona fide complainant may file in Federal or State Court.

(3) *Outreach Expenses*. For all Components of PEI and FHOI except for PEI-FHPC (see, Section III(C)(3)(c)), your budget may designate up to 10 percent of requested funds for education and outreach to promote awareness of services available, if the education activities are necessary for the successful implementation of your project.

(4) *Tester Requirements*. Testers in your FHIP-funded testing activities must not have prior felony convictions or convictions of crimes involving fraud or perjury. All testers must receive training acceptable to HUD or be experienced in testing procedures and techniques. Testers and the organizations conducting tests, and the employees and agents of these organizations may not:

(a) Have an economic interest in the outcome of the test; however, testers retain their right to recover damages as provided by law;

(b) Be a relative related by adoption, blood, or marriage of any party in a case;



(c) Have had any employment or other affiliation, within the past year with the person or organization to be tested; or

(d) Be a licensed competitor of the person or organization to be tested in the listing, rental, sale, or financing of real estate.

(5) *Testing Experience.* When proposing testing other than rental or accessibility testing, you must document, to HUD's satisfaction, that at minimum you have conducted successful rental testing. Documentation of your experience must include, a general description of: when and where tests occurred, the entities tested, and the overall results of the tests, including complaints filed and settlements or remedies secured. The description and the required documentation should be included as part of your response to Rating Factor 1: Capacity of the Applicant and Relevant Organizational Staff. You must include copies of testing methodologies and training materials used. The testing methodology and procedures will remain confidential for enforcement purposes.

(6) *Review and Approval of Testing Methodology.* If your Statement of Work proposes testing, other than rental testing, HUD reserves the right to require as a product to be reviewed and approved by HUD prior to your carrying out the testing activities:

(a) The testing methodology to be used, and

(b) The training to be provided to testers. Your testing methodology and procedures will remain confidential for enforcement purposes.

(7) *Conflict of Interest and Use of Settlement Funds Certifications.*

(a) You must certify that you will not solicit funds from or seek to provide fair housing educational or other services or products for compensation either directly or indirectly to any person or organization that has been the subject of FHIP-funded testing by you during the 12 month period following the test. This does not preclude settlement based on investigative findings. HUD reserves the right to negotiate with awardees additional provisions addressing potential conflicts of interest.

(b) When you receive funds as the result of enforcement activities funded in whole or in part by the FHIP program, including testing, you shall reimburse the United States for the FHIP-funded activities. To accomplish this, you shall reimburse the United States for the FHIP-funded activities in accordance with procedures set forth in your grant or cooperative agreement.

(8) *Reports.* You must provide reports in a format (which may be computer generated), at a frequency and with

contents specified by HUD. Your report must include: the number and basis of claims/complaints filed with HUD or in Federal/State court and the number and terms of settlements or other outcomes achieved. You do not have to produce the terms of settlements ordered by a court or other tribunal to be kept confidential.

(9) *Enforcement Log.* You are required to record information about the funded project in a case tracking log (or Fair Housing Enforcement Log) to be supplied by HUD. Such information must include: the number of complaints of possible discrimination you have received; the protected basis of these complaints; the issue, test type, and number of tests utilized in the investigation of each allegation; the respondent type and testing results; the time for case processing, including administrative or judicial proceedings; the cost of testing activities and case processing; to whom the case was referred; and the resolution and type of relief sought and received. You must agree to make this log available to HUD. This log will be considered confidential for enforcement purposes.

(10) *Information Requirements.* Your application must include a description of the enforcement proposals to be referred to HUD to increase enforcement actions. Therefore, you must state what information you intend to collect and analyze, the type of complaints you anticipate referring to HUD for enforcement purposes, and a method for referring such complaints. Your application should explain how you plan to structure tests, train investigators, conduct investigations, etc. This description should make clear the safeguards to be used to ensure that complaints referred to HUD for enforcement action are fully jurisdictional under the Act and supported by credible and legitimate evidence that the Act has been violated. All this information should be provided in response to Factor 3: Soundness of Approach.

(C) *Additional Requirements For Private Enforcement Initiative.*

(1) *PEI-General.* If you apply for this Component as a single or partnership project, the amount awarded will vary as noted in Section II, Amount Allocated, in this program section of the SuperNOFA. A higher award cap may be requested for partnership projects. In addition to meeting the requirements for all partnerships (see Section IV(A)(13)):

(a) All partners must meet the eligibility requirements of this Initiative (see Section III(C)(1)(a) and (b)), and submit separate Statements of Eligibility with this application as an attachment

to Rating Factor 1: Capacity of Applicant and Relevant and Organizational Experience, and

(b) Your Statement of Eligibility must make clear you are submitting a PEI-GC partnership application.

(D) *Additional Requirements for Education and Outreach Initiative National Program and Regional/Local/Community-Based Program.*

(1) All projects must address housing discrimination based on race, color, religion, sex, disability, familial status, or national origin.

(2) Your application must contain a description of how your activities or your final products can be used by other agencies and organizations. If modifications are necessary for use by others, describe the modifications.

(3) You must describe in Factor 3: Soundness of Approach, your referral process for filing complaints with HUD. HUD expects this complaint referral process will result in an increased number of referrals to HUD of credible, legitimate fair housing claims and other information regarding discriminatory practices.

(E) *Additional Requirements For Fair Housing Organizations Initiative: Establishing New Organizations Component ENOC.* As discussed in Section III(E)(2)(b), HUD has targeted certain jurisdictions for funding priority. You must propose to establish a new fair housing enforcement organization in an underserved area. Even if you are proposing to create an organization in one of these funding priority areas, you must provide proof that the project area is underserved. In addition, you must submit data and studies that indicate the presence of housing discrimination, segregation and/or other indices of discrimination in the project area based upon race, color, religion, sex, national origin, familial status or disability.

(F) *Additional Requirements for Fair Housing Partnerships Initiatives.*

(1) The project(s) must focus on the enforcement and education needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations.

(2) You are eligible only if you partner with an eligible FHAP agency. The list of eligible FHAP agencies may be obtained from your Hub Office and will be posted on the HUD web at "www.hud.gov." FHAP agencies wishing to participate in this partnership must do so under the Fair Housing Assistance Program, not under the EOI-Fair Housing Partnership Component of this SuperNOFA, however, they may apply for funding of



non-partnership activities under all other EOI Components.

(3) Your application is ineligible unless you devote at least sixty (60) percent of your activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other underserved populations, as defined in Section IV(A)(16).

(4) You must respond to Rating Factor 3: Soundness of Approach, outlining your activities and the funds you are requesting for your partnership participation, and provide, as an attachment to Rating Factor 3, the total budget and a description of the overall partnership, including the duties and responsibilities of each partner.

(5) This is a collaborative effort between FHIPs and FHAPs. Your eligible FHAP partner will not be funded unless your application is selected. Furthermore, if two members of the partnership submit applications under the Fair Housing Partnership Components of EOI and PEI, both applications must be rated at or above the cutoff point and then their overall ranking will be based on the average of their combined scores (see discussion in Section V), i.e., the applications are interdependent.

(6) These are 24 months projects. The award caps for each partner are from \$150,000 to \$250,000 depending on whether the project focus is local/community-based, or state/regional. Thus, a regional project which, in addition to the FHAP, has two partnering FHIP organizations, one which has applied under EOI-FHPC and the other under PEI-FHPC, could qualify for a maximum of \$750,000 for the project, i.e., \$250,000 to each partner.

(7) HUD has added these Components to those exempted from the single award and funding/geographic diversity provisions.

(a) *Single award limitation.* Generally, applicants are limited to a single award; by adding the Fair Housing Partnership Components to the excepted category, you may receive up to three awards (see discussion in Section IV(A)(3)).

(b) *Funding and/or geographic diversity provisions.* Under these provisions the Selecting Official, under limited circumstances, may select applications out of rank order. These provisions will not apply to selections under the Fair Housing Partnership Components, i.e., applications will be selected in rank order only.

## V. Application Selection Process

(A) *Rating and Ranking.* Your application for funding will be

evaluated competitively against all other applications submitted under one of the following Components:

- (1) Private Enforcement Initiative (PEI):
  - (a) General Component
  - (b) Fair Housing Partnership Component
- (2) Education and Outreach Initiative (EOI):
  - (a) Regional/Local/Community-Based Program:
    - (i) General Component
    - (ii) Disability Component
    - (iii) Fair Housing Partnership Component
  - (b) National Program:
    - (i) Model Codes Partnership Component
    - (ii) Community Tensions Component
- (3) Fair Housing Organizations Initiative (FHOI):
  - (a) Establishing New Organizations Component
  - (b) Continued Development Component

You will be awarded points and assigned a score based on the Factors for Award. After eligible applications are evaluated against the Factors for Award and assigned a score, they will be ranked in order by score. A minimum score of sixty (60) points will be considered a cutoff point and an application with a score of 60 points or more will be considered of sufficient quality. An application receiving less than sixty (60) points will be considered of insufficient quality for funding.

(B) *Ranking of Fair Housing Partnership Component Applications.* When applications have been submitted under the Fair Housing Partnership Components of both PEI and EOI, each application will be rated separately, but because both the applications are interdependent, the ranking will be as follows:

- (1) Both applications must be rated at or above the cutoff point; and then
- (2) The ranking will be based upon the combined average score of the two applications. For example, if the PEI-FHPC receives a rating of 61 points and the EOI-FHPC receives a rating of 73 points the partnership ranking will be 67 points ( $61 + 73 = 134$  divided by  $2 = 67$ ); if the PEI-FHPC receives a rating of 89 points and the EOI-FHPC receives a rating of 59, the Partnership will not be eligible for award since both applications are not at or above the cutoff point of 60 points.

(3) *Tie Breaking.* When there is a tie in the overall score, the applicant with the higher score under Rating Factor 3: Soundness of Approach will be ranked higher. If the applicants receive the same scores for Rating Factor 3, the

applicant with a higher score under Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience will be ranked higher. If these scores are identical, then the applicant with the request for lower FHIP funding will be ranked higher.

(C) *Selections.* (1) *General.* Except as noted in paragraph (2) Achieving Diversity of Awards, below, proposals of sufficient quality to be funded will be funded in rank order until all available funds have been obligated or until no applications of sufficient quality remain. The diversity provisions described below do not apply to the Fair Housing Partnership Components of PEI and EOI.

(2) *Achieving Diversity of Awards.* The selecting official shall have discretion to skip over applicants in funding a Component in accordance with the funding diversity or geographic diversity procedure or both procedures. If the selecting official decides to use any of these procedures, the selecting official shall apply that procedure equally to all applications of sufficient quality. If the selecting official opts to use both procedures, he/she will use the funding diversity procedure first, and then apply the geographic diversity procedure. These procedures are applied Component-by-Component. No shifting of remaining funds from a Component will occur until all applications of sufficient quality in that Component are awarded funds.

(a) *Funding Diversity.* The selecting official may skip over applicants to provide broader representation among funded entities. For any Component in which the selecting official decides to use this procedure, the selecting official will skip over applicants who have received two FHIP SuperNOFA grants in the past five years in favor of lower ranked applications of sufficient quality to be funded who have not received two FHIP SuperNOFA grants in the past five years. Prior receipt of an ENOC award will not be included in determining whether an applicant received two grants in the past five years. Skipped over applications of sufficient quality will be placed at the bottom of the ranking list of applications of sufficient quality for the Component, but will be placed in rank order among skipped over applications. Once applications of sufficient quality to be funded are reordered to reflect the funding diversity procedure, the selecting official shall proceed in one of two ways:

(i) The selecting official may apply the geographic diversity procedure to all applications of sufficient quality, or

(ii) The selecting official may not apply geographic diversity and award funds to applicants based on their rank order except that skipped over applications are funded in rank order after all other applications of sufficient quality are funded, until funds are exhausted or there are no more applications of sufficient quality to be funded.

(b) *Geographic Diversity.* To provide for broader geographic representation among funded projects, the selecting official will have the discretion to skip over an application where there is more than one application located in the same State. If the selecting official decides to use this procedure in a Component, he/she will select from the applications of sufficient quality to be funded, the highest ranked application. Skipped over applications of sufficient quality will go to the bottom of the ranking list of applications of sufficient quality to be funded for the Component, but will be placed in rank order among skipped over applications, whether skipped over for funding or geographic diversity. If additional funds remain in the Component after funding the highest ranked application in each of the jurisdictions listed above, the selecting official shall proceed in one of two ways:

(i) The selecting official may decide to apply geographic diversity to the skipped over applications, to the extent that additional funds remain. If, after applying geographic diversity a second time, additional funds still remain, the remaining funds will be awarded based on the rank order of any remaining applications of sufficient quality to be funded, irrespective of jurisdiction.

(ii) If the selecting official opts not to apply geographic diversity a second time, then remaining funds shall be awarded to skipped over applications based on their rank order until funds are exhausted.

(D) *Priority for Shifting Remaining Funds.* If after all applications of sufficient quality have been selected in an Initiative/Component, and funds remain available, the selecting official or designee will have the discretion to shift these remaining funds in rank order within and between Initiatives/Components as follows:

(1) First, within Initiatives:

(a) For PEI and EOI, funds remaining from any Component will be shifted to the General Component;

(b) For FHOI, funds remaining from ENOC will be shifted to CDC.

(2) Second, between Initiatives: if after shifting funds, as noted above, funds remain, such funds will be shifted

to the PEI-Multi-Year General Component.

(E) *Factors for Award Used to Evaluate and Rate All Applications except the National Program of the Education and Outreach Initiative.* The factors for rating and ranking applicants and the maximum points for each factor are provided below. The maximum number of points to be awarded any application is 102, which includes two EZ/EC bonus points, as described in the **General Section** of the SuperNOFA.

**Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience (20 Points)**

This factor addresses the extent to which you have the organizational resources necessary to successfully implement your proposed activities in a timely manner. Unless otherwise specified, the rating of your organization and staff for technical merit or threshold compliance will include all partners and/or sub-recipients identified in your application. In rating this factor HUD will consider the extent to which your application demonstrates:

(1) **(10 points)** Specific Description of Staff for Proposed Activities.

(a) The experience and background of your proposed project director and staff, including the day-to-day program manager, Board of Directors, consultants and contractors, and their knowledge and experience in planning and managing projects for which you are requesting funding. If your past activities have resulted in successful enforcement proposals being referred to HUD, clearly describe these actions and the outcome of such referrals.

(b) Your readiness and ability to begin your proposed work project immediately with sufficient personnel and/or whether you will be able to recruit quickly, qualified experts or professionals to deliver the proposed activities in a timely and effective fashion. To demonstrate there is or will be sufficient personnel, you must submit the proposed number of staff years for the employees and experts you plan to assign to the projects for which you are requesting funding, the titles and relevant professional background and experience, and the roles each is to perform. You must identify the key personnel in your Statement of Work, as discussed in Rating Factor 3: Soundness of Approach.

(c) The diversity of your organization and staff and what they bring to the project in terms of race, ethnicity, and disability should also be discussed.

(2) **(10 points for either (a) or (b))** Specific Description of Experience Relevant to the Proposed Activities.

(a) If you have received HUD funding in the past, the Department will consider your past grant experience in terms of your ability to attain demonstrated measurable progress in the implementation of your most recent activities where performance has been assessed as measured by expenditures and progress in meeting project milestones and in the achievements accomplished. HUD will also consider any evidence it has in its files of your failure to comply with grant award provisions; or

(b) If you have not received HUD funding in the past, the Department will review any documentation of your experience in managing projects and carrying out management responsibilities for projects similar in scope or nature to the work activities proposed and the achievements to be accomplished. Therefore, if you have managed large, complex, interdisciplinary projects, or work similar in scope or complexity to your proposed project, you must include that information in your response.

**Rating Factor 2: Need/Distress/Extent of the Problem (25 Points)**

This factor addresses the extent to which there is a need to fund your proposed activities and an indication for the urgency of meeting the need in your project area. In rating this factor, HUD will consider the extent to which you demonstrate:

**(15 points)** Documentation of Need. The level of need for the proposed activities in your project area, including, where appropriate, the needs of immigrant and other underserved populations, and the urgency in meeting the need as indicated by statistics and analyses contained in a data source(s) that are sound and reliable.

You should analyze and document the level of need in the specific area where your proposed activities will be carried out. Attention must be paid to documenting need where activities will be targeted, rather than the entire locality, State, or region. However, if your project area is an entire locality, State, or region, then documenting need at that level is required. Your application may reference the extent to which your community's Consolidated Plan (CP) and Analysis of Impediments to Fair Housing Choice (AI), which is a Component of the CP, identify the level of the problem and urgency of need. In addition, your application should document the extent to which project activities will affirmatively further fair housing (AFFH), by describing how proposed activities will lead to overcoming impediments to fair housing

choice identified in the jurisdiction's AI, which is a Component of the jurisdiction's CP, or other planning document that addresses fair housing issues.

Additional examples of how you may document need may be obtained from Chapter 5 of the "Fair Housing Planning Guide, Vol. 1," which also includes use of HUD reports and analyses, relevant economic and/or demographic data including indices of segregation in areas by race or national origin, government or foundation reports and studies, news articles, and other information that relate to your proposed activities. The Fair Housing Planning Guide may be found on the HUD web at "www.hud.gov."

(2) **(10 points)** Description of Proposed Activities and Methods. HUD will determine your rating based on the extent to which your activities are linked to the need(s) described. The extent to which your application provides a basis for how you determined the activities and tasks that you propose to undertake to address the needs you have identified in your response to paragraph 1 in this factor. How your activities will augment or improve upon on-going efforts by government agencies, community-based organizations, faith-based institutions, for-profit firms, and other entities to address such needs in the community(ies) to be served and why additional funds are being requested.

### **Rating Factor 3: Soundness of Approach (35 Points)**

This factor addresses the strategy, quality, and cost-effectiveness of your project as set forth in your Statement of Work (SOW) and budget. Your rating for this factor is based upon how clearly you establish a relationship between your proposed activities, community needs and the purpose of the project funding. HUD has pledged to substantially increase its enforcement actions, and all projects funded under this SuperNOFA shall contribute to the accomplishment of this goal. Your application must provide a basis for your specific activities relating to enforcement proposal referrals to HUD that are described in your Statement of Work. Your final performance measures for enforcement proposal referrals will be negotiated between you and HUD as part of the executed grant or cooperative agreement.

Points will be awarded differently under paragraph (1) *Proposed Activities*, for applications submitted under the General Components of PEI and EOI than for those submitted under all other components (EOI-Disability, and Fair

Housing Partnership Components; PEI-Fair Housing Partnership Component; and FHOI-Establishing New Organizations and Continued Development Components).

*For all Components, except the General Components of PEI and EOI, your application will be rated as follows for paragraph (1) of this Rating Factor:*

(1) **(15 points)** Description of Activities. Specifically, your description should explain how the activities performed during the period of performance of the grant will result in cases being referred to HUD. Your application must provide a basis for your specific activities relating to enforcement proposal referrals to HUD that are described in your Statement of Work. Your final performance measures for enforcement proposal referrals will be negotiated between you and HUD as part of the executed grant or cooperative agreement. In responding to this factor, describe the methods used or to be developed to identify and refer enforcement proposals to HUD.

Examples of enforcement proposals include:

- (i) Evidence of violations of the Fair Housing Act, including prima facie evidence, with or without related testing evidence that may result in the filing of complaints;
- (ii) Results of testing or audits demonstrating potential housing discrimination;
- (iii) Well-developed analysis of data including Home Mortgage Disclosure Act (HMDA), and/or Community Reinvestment Act (CRA) analyses, Census data, current studies of residential segregation, or other similar documentation supporting allegations of discrimination; and
- (iv) Referrals of claims to HUD on behalf of individuals or groups other than your organization.

*For the General Components of PEI and EOI, your application will be rated as follows for paragraph (1) of this Rating Factor:*

(1) **Description of Activities (15 Points).**

(a) **(10 points)** Description of Proposed Activities. Specifically, your description should explain how the activities performed during the period of performance of the grant will result in cases being referred to HUD. Your application must provide a basis for your specific activities relating to enforcement proposal referrals to HUD that are described in your Statement of Work. Your final performance measures for enforcement proposal referrals will be negotiated between you and HUD as part of the executed grant or cooperative agreement. In responding to this factor,

describe the methods used or to be developed to identify and refer enforcement proposals to HUD. Examples of enforcement proposals include:

- (i) Evidence of violations of the Fair Housing Act, including prima facie evidence, with or without related testing evidence that may result in the filing of complaints;
- (ii) Results of testing or audits demonstrating potential housing discrimination;
- (iii) Well-developed analysis of data including Home Mortgage Disclosure Act (HMDA), and/or Community Reinvestment Act (CRA) analyses, Census data, current studies of residential segregation, or other similar documentation supporting allegations of discrimination; and
- (iv) Referrals of claims to HUD on behalf of individuals or groups other than your organization.

(b) **(5 points)** Percent of Activities/Budget devoted to the fair housing needs of immigrant and other underserved populations. The points will be awarded as follows:

- (i) **0 points:** when no percentage of your activities and budget are devoted to the needs of these populations;
- (ii) **1 point:** when 20% of your activities and budget are devoted to the needs of these populations;
- (iii) **2 points:** when 50% of your activities and budget are devoted to the needs of these populations;
- (iv) **3 points:** when 60% of your activities and budget are devoted to the needs of these populations;
- (v) **4 points:** when 80% of your activities and budget are devoted to the needs of these populations; and
- (v) **5 points:** when 100% of your activities and budget are devoted to the needs of these populations.

*For all Components, including the General Components of PEI and EOI, the remaining paragraphs (2 and 3) of this Rating Factor and all other Rating Factors are evaluated as follows:*

(2) **(10 points)** Statement of Work. Submit a proposed Statement of Work that:

- (a) Describes in broad terms the design and objectives of your project, including the geographic area to be served; individuals protected under the Fair Housing Act to be served; end product(s); program improvements to be achieved; total number of staff needed to complete all proposed activities and key personnel by years of experience, name and function. You must also describe how project objectives of the component for which you are seeking funding will be met [e.g., enforcement efforts (PEI); education and outreach

(EOI); creating or building the capacity of a fair housing enforcement organization (FHOI)]; and

(b) Outline in chronological order your administrative and program activities and tasks to be performed and the duration of the project. Your outline should identify all activities and tasks to be performed and by whom, *i.e.*, you or a sub-recipient or contractor/consultant; products that will be provided to HUD and when; and technically competent methodologies you will use to carry out these activities and tasks.

(3) **(10 points)** Budget and Financial Controls. HUD also will assess the soundness of your approach by evaluating the following:

(a) The quality, thoroughness and reasonableness of the cost estimates provided. As part of your response, you should provide a summary budget that identifies costs by category in accordance with the following:

(i) *Direct Labor* by position or individual, indicating the estimated hours per position, the rate per hour, estimated cost per staff position and the total estimated direct labor costs;

(ii) *Fringe Benefits* by staff position, identifying the rate, the salary base the rate was computed on, estimated cost per position, and the total estimated fringe benefit cost;

(iii) *Material Costs* indicating the item, unit cost per item, the number of items to be purchased, estimated cost per item, and the total estimated material costs;

(iv) *Transportation Costs*, as applicable. Where use of a local private vehicle is proposed, costs should indicate the proposed number of miles, rate per mile of travel identified by item, and estimated total private vehicle costs. Where air transportation is proposed, costs should identify the destination(s), number of trips per destination, estimated air fare and total estimated air transportation costs. If other transportation costs are listed, you should identify the other method of transportation selected, the number of trips to be made and destination(s), the estimated cost, and the total estimated costs for any other transportation costs;

(v) *Per diem*, as applicable. You should identify per diem or subsistence costs per travel day and the number of travel days, the estimated costs for per diem/subsistence and the total estimated transportation costs. You should use the Federal Travel Regulation for per diem rate for cities listed under "Transportation Costs" in your cost estimate;

(vi) *Equipment charges*, if any. Equipment charges should identify the

type of equipment, quantity, unit costs and total estimated equipment costs;

(vii) *Consultant Costs*, if applicable. Indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant and total estimated costs for all consultants;

(viii) *Subcontract Costs*, if applicable. Indicate each proposed individual subcontract and amount. Each proposed subcontract should include a separate budget that identifies proposed costs by cost categories. In addition, your project budget should include any costs related to subcontract(s) with FHAP agencies and traditional civil rights organizations that account for activities related to the sub-recipient's role in the project. Your application should include a separate detailed budget for each subcontract. If you have selected sub-recipients or are submitting a joint application with one partner serving as the lead applicant, you must provide the actual subcontract costs;

(ix) *Other Direct Costs* listed by item, quantity, unit cost, total for each item listed, and total direct costs for the award; and

(x) *Indirect Costs* should identify the type, approved indirect cost rate, base to which the rate applies and total indirect costs.

(b) If you do not have an indirect cost rate and/or you are a single funded organization (funded 100% from one source), you must be able to document direct allocations in all cost categories;

(c) The extent to which your project is cost effective in achieving the anticipated results of your proposed activities, as well as in achieving significant community impact; and

(d) The extent to which you demonstrate your ability to handle financial resources with adequate financial control procedures and accounting procedures. HUD will consider items such as findings identified in your most recent audits, internal consistency in the application of numeric quantities, accuracy of mathematical calculations and other available information on financial management capability.

#### **Rating Factor 4: Leveraging Resources (10 Points)**

The extent to which local groups will contribute additional resources to increase the effectiveness of the proposed activities. In evaluating this factor, HUD will consider:

(1) **(5 points)** Extent To Which You Have Secured Other Resources. The resources made available to your project by others. Resources from others may include funding or in-kind

contributions, such as, work space, services and/or equipment, allocated to the purpose(s) of your project. Such resources may be provided by governmental entities, public or private non-profit organizations, for-profit private organizations, or other entities willing to work with you. You may also wish to work with other FHAP-funded recipients in your project area.

(2) **(5 points)** Evidence of Firm Commitment of Leveraging. This factor addresses the extent to which you are able to demonstrate leveraging. You must establish your leveraging by providing documentation (e.g., letters) from those organizations or individuals who have agreed to participate and who you have identified in your application. Each letter of support must:

- (a) Identify the organization and/or individual,
- (b) Describe the proposed level of commitment,
- (c) Outline the responsibilities as they relate to your application, and
- (d) Be signed by an official of the organization legally able to make commitments on behalf of the organization. If you are submitting a partnership proposal under the Fair Housing Partnership Components of PEI and EOI or the General Component of PEI, you must submit a letter of firm commitment stating that the partner(s) agrees to the proposed SOW and will participate in the project, if selected for award as required by Section IV(A)(13) of this program section. If you fail to include this letter of firm commitment with your application, but you have stipulated the activities and tasks to be undertaken by each partner in your Statement of Work, the failure to provide the letter will be treated as a technical deficiency corrected as noted in Section V of the **General Section** of this SuperNOFA.

#### **Rating Factor 5: Comprehensiveness and Coordination (10 Points)**

This factor addresses the extent to which you coordinate your activities with other organizations in the project area, participate or promote participation in the project area's Consolidated Planning process (including Analysis of Impediments to Fair Housing Choice), and create linkages with other activities in the community. In other words, to what extent are you working with others to address community needs in your project area? In evaluating this factor, HUD will consider the extent to which you demonstrate:

(1) How your project activities will reach your targeted audience. This includes a discussion of how:

(a) Your methods or approaches will ensure that project activities and materials are made available to local groups and organizations; and

(b) The project may enhance the activities or work in tandem with such groups or organizations in your project area. At a minimum, your application should discuss procedures you will use to promote awareness of the services provided by your project.

(2) How your project activities will make communities and organizations in your project area aware of opportunities for linking activities with:

(a) Other proposed or on-going HUD-funded project activities;

(b) Other proposed or on-going State, Federal, local or privately funded activities which, taken as a whole, support and sustain a comprehensive system to address the purpose of these projects; and

(c) Other activities being undertaken to address barriers to housing choice identified in the Consolidated Plan's Analysis of Impediments to Fair Housing Choice.

(F) *Factors for Award Used to Evaluate and Rate Applications for the National Education and Outreach Initiative Program.* The factors for rating and ranking applicants and the maximum points for each factor are provided below. The maximum number of points to be awarded any application is 100.

#### **Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience (20 Points)**

Unless otherwise specified, the rating of your organization and staff for technical merit or threshold compliance will include any partners, sub-recipients, and consultant/contractors who are identified in your application. This factor addresses the extent to which you have the organizational resources necessary to implement your proposed activities in a successful and timely manner and your ability to:

(1) For the Model Codes Partnership Component:

- (a) Analyze data;
- (b) Interact with local elected officials, housing industry persons, and disability advocates for the purpose of consensus building;
- (c) Construct appropriate language or building code changes (when appropriate);
- (d) Educate the public and others on accessibility requirements;
- (e) Operate in environments that may not be receptive to accessibility

requirements;

(f) Demonstrate a thorough knowledge of accessibility requirements and the nuances therein; and

(g) Demonstrate ability to work with diverse and sometimes opposing advocacy groups;

(2) For Community Tensions Component:

(a) Develop preventive community tension strategies;

(b) Recognize replicable community tension "Best Practices;"

(c) Intervene in situations affected by community tensions;

(d) Demonstrate a positive record of intervention in community tensions.

It is anticipated that the measures for preventing and resolving community tensions will address not only the immediate or anticipated problem but the underlying issues of community tensions. In rating this factor, HUD will consider the extent to which your application demonstrates:

(1) **(5 points)** General Description of Applicant Organization and Relevant Experience.

(a) The eligibility and qualifications of your organization and its governing board; the type of organization (e.g., public, private, non-profit, for profit); your general areas of activity or line of business; and the diversity in terms of race, ethnicity, and experience with disabilities which your organization's governing board brings to its work;

(b) Your management of large, complex, interdisciplinary projects;

(c) Awards to and major accomplishments of your organization. HUD may also consider any documented evidence, such as performance reviews, newspaper articles, or monitoring findings, that may reflect positively or negatively upon your ability and the proposed staff's ability to perform the work.

(2) **(10 points)** Specific Description of Staff for Proposed Activities.

(a) Whether you have sufficient personnel or will be able to recruit quickly, qualified experts or professionals to deliver your proposed activities in a timely and effective fashion, including your readiness and ability to begin immediately your proposed project;

(b) The overall knowledge and experience of your proposed project director and staff, including the day-to-day project manager, sub-recipients, and consultants in planning and managing your proposed project. To demonstrate that you have sufficient personnel, you must specify the proposed number of staff hours for the employees and experts allocated to your project, their

titles, duties, and responsibilities, and their relevant professional background and experience; and

(c) The diversity in terms of race, ethnicity, and experience with disabilities which your staff and experts bring to your proposed project

(d) Your organizational infrastructure of affiliate chapters, branch members or other outreach arms that can be utilized to provide national coverage if available; if unavailable, your ability to call upon other groups or organizations to provide national coverage;

Note that at least two years of recent and relevant experience is recommended for:

(i) Model Codes Partnership Component—accessibility law, building codes and standards to make building codes accessible to the Fair Housing Act's accessibility requirements, and knowledge of the International Building Code 2000, the Uniform Building Code, the BOCA National Building Code, the Standard Building Code, or the American National Standards Institute's A117.1 accessibility standard;

(ii) Community Tensions Component—familiarity with the kinds of community tensions that arise in ethnically and culturally diverse underserved communities; experience working with ethnically and culturally diverse groups of local, regional, and national organizations and with community representatives on preventing and intervening in community tensions.

(3) **(5 points)** Specific Description of Experience Relevant to the Proposed Activities. You must show your past experience in conducting education and outreach activities so that industry and advocacy organizations and other members of the public:

(a) For Model Codes Partnership Component—more fully appreciate the barriers to accessibility which may be experienced by person with disabilities and which may violate the Fair Housing Act;

(b) For Community Tensions Component—understand the factors that may reduce community tensions.

You must describe your ability to understand fair housing enforcement-related issues/policies/practices which influence discriminatory housing practices. When responding to this rating factor, you should describe your past experience in developing and implementing innovative strategies and their results. The rating of this factor for technical merit will include a review of the background, skills, and experience of any partners and sub-recipients identified as participants in your project.

If you have received HUD funding in the past, HUD will consider your ability to achieve demonstrated measurable progress in the implementation of your most recent activities. Your performance will be measured by expenditures and progress in meeting project milestones and achievements accomplished. HUD will also consider any evidence in its files of your failure to comply with grant award provisions.

If you have not received funding in the past from HUD, HUD will consider your experience in managing projects similar in nature and of a national scope to the work activities proposed. Therefore, if you have managed large, complex, interdisciplinary projects or have performed work similar in nature and national scope to the proposed project, you should include that information.

**Rating Factor 2: Need/Distress/Extent of the Problem (25 Points)**

This factor addresses the extent to which you document and address the national need for educating the public about their fair housing rights and obligations under the Fair Housing Act. You should state which activities and methods you intend to address, and how your application offers the most effective approach for dealing with that national need. In responding to this factor, you will be evaluated on the following:

(1) **(15 points)** Documentation of Need. The extent to which you describe and document the national need you intend to address, and demonstrate a grasp of the elements of the problem and its persuasiveness at the national level: for the Model Codes Partnership Component, the obstacles to adoption of Working Group modification and for the Community Tensions Component, the underlying issues which make the existence of community tensions a long-term problem for immigrant and other underserved populations. In addition, for both Components your description of this national need will be considered in evaluating your understanding of the problem and your ability to address it; and

(2) **(10 points)** How the Proposed Activities Meet the Need. The extent to which the proposed activities will address the need described in response to sub-factor (1), above.

**Rating Factor 3: Soundness of Approach (35 Points)**

This factor addresses the strategy, quality and cost-effectiveness of your proposed Statement of Work and budget. In evaluating this factor, HUD

will consider the extent to which you and any partners:

(1) **(15 Points)** Description of Proposed Activities. Conduct your proposed activities in a manner (e.g., languages, formats, locations, distribution, use of minority and disability rights media) to reach and benefit all members of the public, and for the Community Tensions Component, especially immigrant and other underserved populations; and proposed activities will yield long-term results that can be readily disseminated to other organizations and State and local governments. You must explain how your activities will promote compliance with the Fair Housing Act and will develop a complaint referral process so that activities funded under these Components will result in an increased number of referrals to HUD of creditable, legitimate fair housing claims and other information regarding discriminatory practices.

(2) **(10 Points)** Statement of Work. You must submit a Statement of Work which:

(a) Clearly describes the specific activities and tasks to be performed by your organization and any partners; the sequence in which the tasks are to be performed, noting areas of work which must be performed simultaneously; estimated completion dates; and program products to be completed within the grant period, including specific numbers of quantifiable end products and program improvements you intend to deliver by the close of the award agreement period as a result of the work performed;

(b) Illustrates your national approach to the project and specifically how the project goals will be achieved at the national level; and

(c) Describes the immediate benefits of your application and how you will measure the benefits. You must describe the methods you will use to determine the effectiveness of your proposed activities and benefits achieved to receive points.

(3) **(10 Points)** Budget and Financial Controls. HUD also will assess the soundness of your approach by evaluating the quality, thoroughness and reasonableness of the proposed cost estimates. As part of your response, you should provide a summary budget that identifies costs by category in accordance with the following:

(a) **Direct Labor** by position or individual, indicating the estimated hours per position, the rate per hour, estimated cost per staff position and the total estimated direct labor costs;

(b) **Fringe Benefits** by staff position, identifying the rate, the salary base on

which the rate was computed, estimated cost per position, and the total estimated fringe benefit cost;

(c) **Material Costs** indicating the item, unit cost per item, the number of items to be purchased, estimated cost per item, and the total estimated material costs;

(d) **Transportation Costs**, as applicable. Where use of a local private vehicle is proposed, costs should indicate the proposed number of miles, rate per mile of travel identified by item, and estimated total private vehicle costs. Where air transportation is proposed, costs should identify the destination(s), number of trips and passengers per destination, estimated air fare and total estimated air transportation costs. If other transportation costs are listed, you should identify the other method of transportation selected, the number of trips to be made and destination(s), the estimated cost, and the total estimated costs for any other transportation costs;

(e) **Per diem**, as applicable. You should identify per diem or subsistence costs per travel day and the number of travel days, the estimated costs for per diem/subsistence and the total estimated transportation costs. You should use the Federal Travel Regulation for per diem rate for cities listed under "Transportation Costs" in your cost estimate;

(f) **Equipment charges**, if any. Equipment charges should identify the type of equipment, quantity, unit costs and total estimated equipment costs;

(g) **Consultant Costs**, if applicable. Indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant and total estimated costs for all consultants;

(h) **Subcontract Costs**, if applicable. Indicate each proposed individual subcontract and amount. Each proposed subcontract should include a separate budget that identifies proposed costs by cost categories. In addition, your project budget should include any costs related to subcontract(s) with FHAP agencies and traditional civil rights organizations that account for activities related to the sub-recipient's role in the project. Your application should include a separate detailed budget for each subcontract. If you have selected sub-recipients or are submitting a joint application with one partner serving as the lead applicant, you must provide the actual subcontract costs;

(i) **Other Direct Costs** listed by item, quantity, unit cost, total for each item listed, and total direct costs for the award; and

(j) *Indirect Costs* should identify the type, approved indirect cost rate, base to which the rate applies and total indirect costs. If you do not have an indirect cost rate and/or you are a single funded organization (funded 100% from one source), you must be able to document direct allocations in all cost categories;

(4) HUD also will assess the soundness of your approach by evaluating:

(a) The extent to which your project is cost effective in achieving the anticipated results of your proposed activities, as well as in achieving significant community impact; and

(b) The extent to which you demonstrate your ability to handle financial resources with adequate financial control procedures and accounting procedures. HUD will consider items such as findings identified in your most recent audits, internal consistency in the application of numeric quantities, accuracy of mathematical calculations and other available information on financial management capability.

#### **Rating Factor 4: Leveraging Resources (10 Points)**

This factor addresses your ability to secure financial or in-kind resources on a national scale which can be combined with HUD's program resources to achieve your project purpose from: Model Codes Partnership Component—State and local building code organizations, members of the building industry, advocacy organizations, fair housing organizations, and other experts on accessibility laws; Community Tensions Component—local elected officials, schools, police departments, faith-based organizations, community service organizations, and FHAP Agencies to demonstrate leveraging. In evaluating this factor HUD will consider:

(1) **(5 points)** Extent to Which You have Secured Other Resources. The extent to which others will provide additional resources to increase the effectiveness of your proposed project activities. Resources may include funding or in-kind contributions, such as work space, services, or equipment allocated to the purpose(s) of your application. Resources may be provided by governmental entities, public or private non-profit organizations, for-profit private organizations, or other entities willing to work with you. You may also develop collaborative relationships to work with other FHIP-funded recipients to coordinate the use of resources in the project area.

(2) **(5 points)** Evidence of Firm Commitment of Leveraging. The extent

to which you are able to demonstrate leveraging. You must establish your leveraging by providing documentation (e.g., letters) from those organizations or individuals who agree to participate and are identified in your application. Each letter should:

(a) Identify the organization and individual;

(b) Describe the proposed, specific level of commitment;

(c) Outline the responsibilities as they relate to the proposed project; and

(d) Be signed by the organization's official legally authorized to make commitments on behalf of the organization. For the Model Codes Partnership Component you must submit a letter of firm commitment stating that the partner(s) agrees to the proposed SOW and will participate in the project if selected for award. If you fail to include this letter of firm commitment with your application, but you have stipulated the activities and tasks to be undertaken by each partner in your Statement of Work, the failure to provide the letter will be treated as a technical deficiency corrected as noted in Section V of the **General Section** of this SuperNOFA

#### **Rating Factor 5: Comprehensiveness and Coordination (10 Points)**

This factor addresses the extent to which you coordinate your activities with your partners and create linkages with other organizations so as to provide coverage in selected areas which together may be representative of the nation as a whole. In short, to what extent are you working with others to address needs in different parts of the country? In evaluating this factor, HUD will consider the extent to which you demonstrate:

(1) How your project activities will reach your proposed targeted audiences in different parts of the country. This includes a discussion of how:

(a) Your specific methods or approaches will ensure that project activities and materials are made available to local groups and organizations in those parts of the country which you are proposing as representative of the nation as a whole; and

(b) The project or activities will in fact work in tandem with such groups or organizations in the parts of the country you have selected or enhance the activities of such groups or organizations. At a minimum, your application should discuss the procedures you will use to promote awareness the of services provided by your project.

(2) Discuss how your project activities will make communities and organizations in the selected areas aware of opportunities for linking activities with:

(a) Other HUD-funded program activities, proposed or on-going; or

(b) Other proposed or on-going Federal, State, local or privately funded activities which, taken as a whole, support and sustain a comprehensive system to address the goals of these projects.

#### **(G) Applicant Notification and Award Procedures.**

(1) *Notification.* No information will be available to you during the period of HUD evaluation, approximately 90 days, except for notification in writing or by telephone if HUD determines your application is ineligible or has technical deficiencies which may be corrected as described in Section V of the **General Section** of the SuperNOFA. Selections will be announced by HUD when the evaluation and selection process is completed, and all awards will be subject to final negotiations with HUD.

(2) *Negotiations.* After ranking the applications and providing notifications to you if you are selected, HUD will require you to participate in negotiations to determine the specific terms of your cooperative or grant agreement. HUD will follow the negotiation procedures described in Section III(D) of the **General Section** of the SuperNOFA.

(3) *Funding Instrument.* HUD expects to award a cost reimbursable or fixed-price cooperative or grant agreement to each applicant selected for award. HUD reserves the right, however, to use the form of assistance agreement determined to be most appropriate after negotiations are completed.

(4) *Adjustments to Grant Amounts.* As provided in Section III(E) of the **General Section** of the SuperNOFA, HUD may approve an application for an amount lower than the amount requested, fund only portions of your application, withhold funds after approval, and/or require that special conditions be added to your grant agreement, in accordance with 24 CFR 84.14, the requirements of this SuperNOFA, or where:

(a) HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;

(b) An ineligible activity is proposed in an otherwise eligible project; or

(c) Insufficient amounts remain to fund the full amount requested in the application, and HUD determines that partial funding is a viable option.

(5) *Performance Sanctions.* A grantee or sub-recipient, failing to comply with



the procedures set forth in its grant agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in the FHIP, and denial of further participation in programs of HUD or any Federal agency.

#### **VI. Application Submission Requirements**

Your application must contain the items listed in this Section VI. These items include the standard forms, certifications, and assurances listed in the **General Section** of the SuperNOFA that are applicable to this funding (collectively, referred to as the "standard forms"). The standard forms can be found in Appendix B to the **General Section** of the SuperNOFA. The remaining application items that are forms (i.e., excluding such items as narratives), referred to as the "non-standard forms" can be found as Appendix C to this program section of the SuperNOFA. The items are as follows:

(A) *Transmittal Letter*. Your letter must identify: (1) The dollar amount requested for each Component, (2) the specific FHIP Initiative and Component under which your application is submitted, (3) in the case of the EOI, whether it is the Regional/Local/Community Based Program or the National Program, (4) in the case of PEI-

GC, whether you are submitting a single or partnership application, and (5) if you are applying for more than one Component, you must state your preference for selection.

(B) *Narrative Statement*. Responding to each Rating Factor for Award, you should address each Rating Factor separately, i.e., provide narrative responses to Rating Factor 1; Rating Factor 2; Rating Factor 3 (Proposed Statement of Work and Proposed Budget); Rating Factor 4; and Rating Factor 5. You should respond fully to each Rating Factor for Award in Section V(E) and (F), above, of this FHIP section of the SuperNOFA and within the page limitation described in Section IV(A)(6), above of this program section.

(C) *Financial Management and Audit Information*. You must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that the financial management system employed by you meets prescribed standards for fund control and accountability required by: OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations; OMB Circular A-110 (as codified at 24 CFR part 84), Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and other Non-Profit Organizations; and/or OMB

Circular A-102 (as codified at 24 CFR part 85) Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments. This information should contain the name and telephone number of the Independent Auditor, cognizant Federal auditor, or other audit agency, as applicable.

#### **VII. Corrections to Deficient Applications**

Section V of the **General Section** of the SuperNOFA provides the procedures for corrections to deficient applications.

#### **VIII. Environmental Requirements**

In accordance with 24 CFR 50.19(b)(9) and (12) of HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under related laws and authorities.

#### **IX. Authority**

Section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616 note, established the Fair Housing Initiatives Program (FHIP)) and the implementing regulations are found at 24 CFR part 125.

BILLING CODE 4210-32-P



## APPENDIX A

## NEW ORGANIZATIONS ESTABLISHED UNDER FHIP ENOC

<u>NAME AND ADDRESS OF NEW ORGANIZATION</u>	<u>AREA SERVED</u>
<b>The Fair Housing Continuum</b> 846 N. Cocoa Blvd., Cocoa, FL 32922	Brevard County, Florida
<b>North Carolina Fair Housing Center</b> 101 St. Mary Street, Raleigh, NC 27609	State of North Carolina
<b>Southern Center of Civil Rights Enforcement</b> 1083 Austin Ave, NE, Atlanta, GA 31107	Areas in Georgia, Arkansas, Mississippi & South Carolina
<b>Central Alabama Fair Housing Center</b> 207 Montgomery St. Suite 725, Montgomery, AL 36104	Central & Southern Alabama
<b>Arkansas Fair Housing Organization</b> 2101 South Main Street, Little Rock, AR 72206	Central Arkansas
<b>Arkansas Fair Housing Council</b> 103 West Capitol, #1115, Little Rock, AR 72201	Arkansas Congressional Districts #1, 2 & 4
<b>Fair Housing Action Center</b> 938 Lafayette St., #413, New Orleans, LA 70113	Greater Metropolitan New Orleans
<b>Legal Aid Society of Albuquerque</b> 121 Tijereas, NE, #3100, Albuquerque, NM 87102	State of New Mexico
<b>Louisiana Fair Housing Organization</b> 1624 Elysian Fields, Ave., New Orleans, LA 70117	Southern Louisiana
<b>New Mexico Fair Housing Organization</b> 918 Silver SW, Albuquerque, NM 87102	Central New Mexico (primarily Albuquerque & Santa Fe)
<b>Fair Housing Center of Nebraska</b> 2522 N. 24th St., #103, Omaha, NE 68110	Omaha, Nebraska & South Sioux City, Iowa
<b>Kansas City Fair Housing Center</b> 3033 Prospect Ave., Kansas City, MO 64128	Metropolitan Kansas City, Missouri

<b>Metro St. Louis Equal Housing Opportunity Center</b> 1027 VanDerventer Ave., 4 <sup>th</sup> Floor, St. Louis, MO 63110	Metropolitan St. Louis, Missouri
<b>North Dakota Fair Housing Council</b> 533 Airport Rd, Suite B, Bismark, ND 58504	State of North Dakota
<b>Greater Nevada Fair Housing Council</b> 410 East John Street, Carson City, NV 89706	Northern Nevada
<b>Nevada Fair Housing Center</b> 2725 East Desert Inn Road, Suite 180, Las Vegas, NV 89121	Southern Nevada
<b>Fair Housing Council of Fresno County</b> 2014 Tulane St., #413, Fresno, CA 93721	Fresno, California
<b>Idaho Fair Housing Council</b> 310 N. 5th Street, Boise, ID 83702	State of Idaho
<b>Northwest Fair Housing Alliance</b> 1613 West Gardner Ave., Spokane, WA 99201	Eastern Washington
<b>Fair Housing Council of South Puget Sound</b> 8815 S. Tacoma Way, Suite 211, Tacoma, WA 98499	Puget Sound
<b>Asian Americans for Equality FH Ctr.</b> 111 Division Street, New York, NY 10002	Queens, NY
<b>San Antonio Fair Housing Center</b> 4414 Centerview Drive, Suite 179 San Antonio, TX 78228	San Antonio, TX
<b>Fair Housing Center of Houston</b> 2900 Woodridge, Suite 303 Houston, TX 77087	Houston, TX

**APPENDIX B**  
**FIELD STRUCTURE - OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY**

<b><u>FHEO OFFICES</u></b>	<b><u>DIRECTORS</u></b>	<b><u>TELEPHONE NO.</u></b>	<b><u>AREA COVERED</u></b>
<b>BOSTON HUB</b> Thomas P. O'Neill Federal Bldg. 10 Causeway Street, Room 375 Boston, MA 02222-1092	Marcella Brown	(617) 565-6977	MA, CT, ME, VT, NH, RI
<b>NEW YORK CITY HUB</b> 26 Federal Plaza New York, NY 10278-0068	Stanley Seidenfeld	(221) 264-1290	NY, NJ
<b>PHILADELPHIA HUB</b> The Wanamaker Building 100 Penn Square East Philadelphia, PA 19107-3380	Wanda S. Nieves	(215) 656-0647	PA, MD, VA, DC WV, DE
<b>ATLANTA HUB</b> Richard B. Russell Federal Building 75 Spring Street, S.W. Atlanta, GA 30303-3388	Gregory King	(404) 331-5001	GA, AL, MS, FL, PUERTO RICO, KY TN, NC, SC
<b>CHICAGO HUB</b> Ralph H. Metcalfe Federal Building 77 West Jackson Boulevard Chicago, IL 60604-3507	Barbara Knox	(312) 353-7776	IL, MN, MI, WI, OH IN
<b>FORT WORTH HUB</b> 1600 Throckmorton Street Fort Worth, TX 76113-2905	Jamie Jamison	(817) 978-9271	TX, AR, OK, LA, NM
<b>KANSAS CITY HUB</b> Gateway Tower II 400 State Avenue Kansas City, KS 66101-2406	Robbie Herndon	(913) 551-6958	KA, MO, NE, IA
<b>DENVER HUB</b> 633 17 <sup>TH</sup> Street Denver, CO 80202-3607	John Eubanks	(303) 672-5434	CO, UT, WY, SD ND, MT

**SAN FRANCISCO HUB**

CA, HI, NV,

AZ

Phillip Burton Federal Bldg.  
450 Golden Gate Avenue  
San Francisco, CA 94102-3448

Chuck E. Hauptmon

(415) 436-6569

Guam

**SEATTLE HUB**

WA, OR, ID

Seattle Federal Office Bldg.  
909 1<sup>st</sup> Avenue, Suite 200  
Seattle, WA 98104-1000

Judith Keeler

(206) 220-5170

**APPENDIX C**

The non-standard forms, which follow, are required for your FHIP application.

## Checklist for Completeness of Application

Use this checklist to ensure that your application includes all required items

Check when included	Response Item
<input type="checkbox"/>	Copy of SF-424 (Place a copy of the SF-424 and attached HUD-424-M (Matrix) on top of application package. This should <b>not</b> be the originals.)
<input type="checkbox"/>	Transmittal Letter
<input type="checkbox"/>	Cover Page
<input type="checkbox"/>	Checklist
<input type="checkbox"/>	Statement of Eligibility
<input type="checkbox"/>	Project Abstract Outlining Project Activities
<input type="checkbox"/>	Factor No. 1 Response
<input type="checkbox"/>	Factor No. 2 Response
<input type="checkbox"/>	Factor No. 3 Response
<input type="checkbox"/>	Proposed Statement of Work
<input type="checkbox"/>	Proposed Budget, Narrative and SF-424-A
<input type="checkbox"/>	Factor No. 4 Response
<input type="checkbox"/>	Factor No. 5 Response
<input type="checkbox"/>	Responses to Additional Requirements for Specific Initiative/Component
<input type="checkbox"/>	PEI and FHOI Applicants - Proof of tax exempt status
<input type="checkbox"/>	Partnership Components - Letter of Firm Commitment

### Application Forms and Certifications

<input type="checkbox"/>	SF-424 Application for Federal Assistance and HUD-424-M (Matrix)
<input type="checkbox"/>	SF-424-A Budget Information - Non-construction Programs
<input type="checkbox"/>	SF-424-B Standard Assurances - Non-construction Programs
<input type="checkbox"/>	Applicant Disclosure Report (HUD-2880)
<input type="checkbox"/>	Certification of Payments to Influence Federal Transactions (HUD-50071)
<input type="checkbox"/>	OMB SF-LLL Disclosure of Lobbying Activities
<input type="checkbox"/>	Certification for a Drug-Free Workplace (HUD-50070)
<input type="checkbox"/>	Certification of Consistency with the EZ/EC Strategic Plan (HUD-2990), if applicable
<input type="checkbox"/>	Certification of Consistency with the Consolidated Plan (HUD-2991)
<input type="checkbox"/>	Certification Regarding Debarment and Suspension (HUD-2992)
<input type="checkbox"/>	Listing of Current or Pending Financial Agreements
<input type="checkbox"/>	Acknowledgment of Application Receipt (HUD-2993)
<input type="checkbox"/>	Client Comments and Suggestions (HUD-2994)

## Cover Page FY 2000 FHIP Application

Check Initiative/Component (only one box) for which the application is being submitted.

Submit a separate application for each Initiative/Component for which funding is sought.

Applicant Name \_\_\_\_\_

Initiative/Component	Catalog of Federal Domestic Assistance No.
<input type="checkbox"/> Private Enforcement Initiative/General Component (Multi-Year)	14-410
<input type="checkbox"/> Private Enforcement Initiative/Fair Housing Partnership Component	14-410
<input type="checkbox"/> Education and Outreach Initiative/Regional-Local-Community Based Program	
<input type="checkbox"/> General Component	14-409
<input type="checkbox"/> Fair Housing Partnership Component	14-409
<input type="checkbox"/> Disability Component	14-409
<input type="checkbox"/> Education and Outreach Initiative National Program	
<input type="checkbox"/> Model Codes Partnership Component	14-409
<input type="checkbox"/> Community Tensions Component	14-409
<input type="checkbox"/> Fair Housing Organizations Initiative/Continued Development Component	14-413
<input type="checkbox"/> Fair Housing Organizations Initiative/Establishment of New Organizations	14-413

If you submit more than one application, you must indicate in the table below all Initiatives/Components for which you are applying. In addition, if you apply for funding under more than one component, you must state your priority for selection and submit your preference in the table below. If you fail to submit your preference, your application will be ineligible.

### Applicant's Preference for Award

Initiative/Component	Applied (Yes or No)	Rank-Order Preference
Private Enforcement Initiative - General Component (Multi-year)		
Private Enforcement Initiative - Fair Housing Partnership Component		
EOI-Regional, Local, Community-based-Fair Housing Partnership Comp.		
EOI-Regional, Local, Community-based-Disability		
EOI-Regional, Local, Community-based-General Component		
EOI-National Program-Model Codes Partnership Component		
EOI-National Program-Community Tensions Component		
FHOI-Establishment of New Organizations		
FHOI-Continued Development Component		

FHIP  
Page no:

form HUD-40076-FHIP (1/2000)

## Statement of Eligibility

Attach the Completed Statement of Eligibility required for each Initiative/Component for which you are applying. (You may attach additional pages if necessary.)

### Private Enforcement Initiative

#### For All PEI Applicants:

##### 1. Organizational Status

Is your organization a private, tax-exempt, nonprofit, charitable organization?

☐ Yes

☐ No

If yes, have you included proof of your status with your application.

☐ Yes

☐ No

##### 2. Are you a Qualified Fair Housing Organization (QFHO) or a Fair Housing Organization (FHO) with at least one year's experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims?

☐ Yes

☐ No

Please check whether a QFHO or an FHO.

☐ QFHO (see attached FHIP regulations) ☐ FHO (see attached FHIP regulations)

##### 3. Briefly describe your experience directly related to each of the following areas of enforcement activities that your organization conducted for at least one year in the two years preceding the filing of this application. It is not necessary that the activities were conducted simultaneously nor for consecutive/continuous years, as long as each activity has been conducted for one year within the past two years. (Do not limit this description to FHIP funded enforcement activities.) See attached FHIP regulation.

Include dates, when responding to following:

- Number of complaints received and processed, by basis (e.g. race, color, religion, sex, disability, familial status, and national origin) and issue (e.g. rental, sales, lending).
  - Description of your testing program, including number of tests conducted (both individual and systemic) and number of tests by basis and issue.
  - Description of investigative experience, apart from testing, conducted by your organization.
  - Summary of complaint referrals to HUD for investigation or other enforcement actions.
  - Summary of complaint outcomes, including judicial and administrative findings; number of pending complaints; and number of awards and amount to plaintiffs of monetary/nonmonetary relief.
4. What percentage of your Statement of Work activities and budget, if any, is devoted to the needs of immigrant (especially ethnic minorities who are not English speaking) and other under-served populations?
5. If yours is a partnership application, have you included a letter of firm commitment?

☐ Yes

☐ No

6. Do you propose to use FHIP funds to settle claims, satisfy judgements, or fulfill court orders in any litigation action involving either the Department or housing provider funded by the Department?

☐ Yes

☐ No

If yes, identify those activities and amount of funds.

**Additional Questions for PEI General Component Applicants:**

7. Are you currently receiving a PEI General Component grant?

☐ Yes

☐ No

If yes, please provide grant number and expiration date for funding.

Grant Number: \_\_\_\_\_

Expiration date: \_\_\_\_\_

8. Have you made clear you are submitting under the PEI General Component as either a single project or as a partnership project?

Please check the appropriate box: ☐ A single Project ☐ A Partnership Project

If you are submitting as a partnership project: submit a separate eligibility statement for **each Partner** answering questions 1-3 above.

**Additional Questions for PEI-Fair Housing Partnership Component Applicants:**

9. Have you included a narrative description and budget of the overall partnership and the duties and responsibilities of each partner?

☐ Yes

☐ No

10. Are you partners with an organization which is requesting funding under the EOI-Fair Housing Partnership Component?

☐ Yes

☐ No

If yes, please identify the organization:

11. Are you partners with an eligible Fair Housing Assistance Program (FHAP) Partner?

☐ Yes

☐ No

Please identify the eligible FHAP agency:

12. Are you devoting at least sixty (60) percent of your activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other under-served populations?

☐ Yes

☐ No



## Statement of Eligibility

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**Educational and Outreach Initiative****National, Regional/Local/Community-Based Programs**

1. Please check your appropriate organizational status:

- ☐ State or local government;
- ☐ Qualified fair housing enforcement organization (QFHO);
- ☐ Fair housing enforcement organization (FHO);
- ☐ Public or private nonprofit organization or institution and other public or private entity that is formulating or carrying out programs to prevent or eliminate discriminatory housing practices;
- ☐ Fair Housing Assistance Program (FHAP) Agency (State and local agency funded by FHAP)

2. Are you a college or university proposing an educational project?

- ☐ Yes ☐ No

3. Do you propose to use FHIP funds to settle claims, satisfy judgements, or fulfill court orders in any litigation action involving either the Department or housing provider funded by the Department?

- ☐ Yes ☐ No

If yes, identify those activities and amount of funds.

**Additional Questions for EOI-Fair Housing Partnership Component Applicants:**

4. Have you included a letter of firm commitment?

- ☐ Yes ☐ No

5. Have you included a narrative description and budget of the overall partnership and the duties and responsibilities of each partner?

- ☐ Yes ☐ No

6. Are you partners with an organization that is requesting funding under the Private Enforcement Initiative - Fair Housing Partnership Initiative?

- ☐ Yes ☐ No

If yes, please identify the organization:

7. Are you partners with an eligible Fair Housing Assistance Program (FHAP) Partner?

- ☐ Yes ☐ No

If yes, please identify the eligible FHAP agency:

8. Are you devoting at least sixty (60) percent of your activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other under-served populations?

☐ Yes

☐ No

**Additional Questions for EOI-Model Codes Partnership Component Applicants:**

9. Is one of the partners a disability rights advocacy group?

☐ Yes

☐ No

If yes, please identify the organization:

10. Have you included a letter of firm commitment?

☐ Yes

☐ No

11. Are you devoting at least sixty (60) percent of your activities and budget to the fair housing needs of immigrant (especially ethnic minorities who are not English speaking) and other under-served populations?

☐ Yes

☐ No

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Statement of Eligibility

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**Fair Housing Organization Initiative****Establishing New Organizations Component**

## 1. Organizational Status

Is your organization a private, tax-exempt, nonprofit, charitable organization?

☐

Yes

☐

No

If yes, include proof of your status with your application.

## 2. Are you a QFHO?

☐

Yes

☐

No

3. Briefly describe your experience directly related to each of the following areas of enforcement activities that your organization conducted for at least two years in the three years preceding the filing of this application. It is not necessary that the activities were conducted simultaneously nor for consecutive/continuous years, as long as each activity has been conducted for two years within the past three years. (Do not limit this description to FHIP funded enforcement activities.). See attached FHIP regulation.

Include dates when responding to the following:

- a. Number of complaints received and processed, by basis (e.g. race, color, religion, sex, disability, familial status, and national origin) and issue (e.g. rental, sales, lending).
  - b. Description of your testing program, including number of tests conducted (both individual and systemic) and number of tests by basis and issue.
  - c. Description of investigative experience, apart from testing, conducted by your organization.
  - d. Summary of complaint referrals to HUD for investigation or other enforcement actions.
  - e. Summary of complaint outcomes, including judicial and administrative findings; number of pending complaints; and number of awards and amount to plaintiffs of monetary/nonmonetary relief.
4. Do you propose to use FHIP funds to settle claims, satisfy judgements, or fulfill court orders in any litigation action involving either the Department or housing provider funded by the Department?

☐

Yes

☐

No

If yes, identify those activities and amount of funds.

## Statement of Eligibility

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**Fair Housing Organizations Initiative****Continued Development Component (CDC)****1. Organizational Status**

Is your organization a private, tax-exempt, nonprofit, charitable organization?

☐

Yes

☐

No

If yes, include proof of your status with your application.

**2. Are you a QFHO or a FHO?** ☐ Yes☐

No

Please check whether a QFHO or a FHO

☐

QFHO (see attached FHIP regulations)

☐

FHO (see attached FHIP regulations)

**3. Is your organization a recipient of a previous Establishing New Organizations Component award?**☐

Yes

☐

No

If yes, please provide the grant number of the ENOC award and expiration date of that award.

Grant Number: \_\_\_\_\_

Expiration date: \_\_\_\_\_

**4. Do you propose to use FHIP funds to settle claims, satisfy judgements, or fulfill court orders in any litigation action involving either the Department or housing provider funded by the Department?**☐

Yes

☐

No

If yes, identify those activities and amount of funds.

**Listing of Current or Pending Grants/Contracts/Other Financial Agreements**  
(for Fair Housing Initiatives Program only)

All applicants are required to provide a listing of any current or pending grants or contracts, or other business or financial relationships or agreements, to provide training, education, and/or self-testing services between the applicant and any entity or organization of entities involved in the sale, rental, advertising or provision of brokerage or lending services for housing. The listing must include the name and address of the entity or organization; a brief description of the services being performed or for which negotiations are pending; the dates for performance of the services; and the amount of the contract or grant (this latter item is optional). This listing must be updated during the grant negotiation period and as provided for in the grant agreement schedule of articles.

A sample listing is provided below.

A blank form is provided for your use also, or you may submit the information in any convenient format.

**Sample Format**

Listing of Current or Pending Grants/Contracts/Other Financial Agreements			
Name and Address of Entity or Organization	Type of activity/service to be provided	Dollar Amount of Grant or Contract (Optional)	Dates for Performance of Services
ABC Rental Co. 1234 Main Street Anytown, USA 00000	Training of rental company staff on fair housing laws, including reasonable accommodation issues.	\$100,000	June 5, 1998 - December 5, 1999
City of Gotham Gotham City Hall - Rm.9876 Gotham, USA 00000	Provide fair housing outreach training for public as part of CDBG grant program.	\$25,000.00	October 1, 1997 - September 30, 1999
Pen & Ink Architects 3333 Lincoln Street Gotham, USA 00000	Provide training to and develop handbook for architects on accessibility guidelines and other applicable laws relating to new construction.	\$ 150,000	May 31, 1997 - May 31, 2000

**Listing of Current or Pending Grants/Contracts/Other Financial Agreements** (for Fair Housing Initiatives Program only)

Name and Address of Entity or Organization	Type of activity/service to be provided	Dollar Amount of Grant or Contract (Optional)	Dates for Performance of Services

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## Additional Instructions for Completing form HUD-2880

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All applicants must complete form HUD-2880, Applicant Disclosure/Update report. However, full completion may not be required. Answer the questions below as they pertain to your proposed project, then prepare the form as instructed.

**Question 1.** Are other Federal funds involved in the proposed project?

If "No," complete **only** Parts I and II and **sign** the form on page 3.

If "Yes," go to question 2.

**Question 2.** Is the total amount of HUD, State, or local government funds for this specific project/ activity less than \$200,000?

If "Yes," complete **only** Parts I and II and **sign** the form on page 3.

If "No," complete the **entire** form and **sign** the form on page 3.





**DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT**

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**HOUSING COUNSELING**

